

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. IV-443 & 93-283-A
* (Project No. 92-288-Z)
*
*

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN/VARIANCE ORDER

This matter comes before the Hearing Officer/Zoning Commissioner for review of the PUD-R-1 Development Plan and related variances for the proposed subdivision known as The Preserve. The project is to be developed as shown on the development plan/plot to accompany the Petition for Zoning Variance, marked as Petitioner's Exhibit No. 1.

The required public hearing was scheduled and held for this case on April 14, 1993. At that hearing, Ronald Schafelt, President of The Southern Land Company, Inc., appeared and testified. That corporation is the developer of the proposed subdivision. Also appearing on behalf of the plan was Dick Baummer, an engineer from Daft, McCune and Walker. Mr. Baummer prepared the site plan. Also appearing and testifying from Daft, McCune and Walker were George Gavrelis, an expert land planner and Ed Haile, Chief Executive Officer of that firm. The Petitioner/Developer was represented by Robert A. Hoffman, Esquire.

Several individuals appeared in opposition to the plan or as interested parties. They included the property owners/residents of the tract located immediately to the southeast of the subject parcel, namely, Renata L. Ramsburg and Renata H. Ramsburg. Also participating at the hearing

were W.K. Ramsburg and James Rawle, residents of the aforementioned abutting tract, known as 12401 Wilson Avenue. Pamela Surgent and Jerry Katz also appeared in opposition. Further, numerous representatives of various reviewing agencies of Baltimore County participated in the hearing. These included Don Roscoe, the Project Manager, J. R. Logan, from the Department of Public Works, John Lewis, of the Office of Zoning Administration and Development Management and R. Bruce Seely from D.E.P.R.M.

As to the relief sought, the Petitioner seeks approval of the development plan, pursuant to the development regulations codified in Section 26-166, et seq., of the Baltimore County Code. Also, the Petitioner seeks approval of the development of the parcel as a PUD-R-1 pursuant to Section 430 of the Baltimore County Zoning Regulations (B.C.Z.R.). Further, numerous variances are requested, as follows:

A. From Section 1B01.2.C.1.b of the B.C.Z.R. and C.M.D.P. Residential Standards, 4, 5, and 6 pursuant to Section 504 to permit the garage portion of the front building face on all lots to be within 20 ft. of the street right-of-way line or property line in lieu of the required 25 ft. (lots 1-44);

B. From Section 1801.2.C.1.b of the B.C.Z.R. and C.M.D.P. Residential Standards 4 pursuant to Section 504 to permit the following setbacks for lots zoned D.R.2,

1. Side building face to side building face of 20 ft. (10 ft. to side property line) for two-story portions of dwellings in lieu of the required 30 ft. (lots 7-22 and 32-33),

2. Side building face to side building face of 13 ft. where one-story garage portion of a dwelling abut a two-story portion of an

adjacent dwelling (3 ft. and 10 ft. respectively to side property lines)
in lieu of the required 30 ft. (lots 7-22 and 32-33),

3. Side building to side building face of 6 ft. where one-story garage portions of a dwelling abut a one-story garage portion of an adjacent dwelling (3 ft. to each property line) in lieu of the required 30 ft. (lots 7-22 and 32-33),

4. Side building face of 20 ft. to tract boundary for lot 12 in lieu of the required 25 ft. (lot 12),

C. From Section 1B01.2.C.1.b of the B.C.Z.R. and C.M.D.P. Residential Standards 5 pursuant to Section 504 to permit the following setbacks for lots zoned D.R.3.5 and 5.5,

1. Side building face to side building face of 13 ft. where garage portions of a dwelling less than 20 ft. in height abut an adjacent dwelling more than 20 ft. in height (3 ft. and 10 ft. respectively to side property lines) in lieu of the required 20 ft. (lots 1-6 and 21-47),

2. Side building face to side building face of 6 ft. where garage portions of dwellings less than 20 ft. in height abut (3 ft. to each side property line) in lieu of the required 16 ft. (lots 1-6 and 21-44),

D. From Section 301.1.A of the B.C.Z.R. and C.M.D.P. Residential Standards 4 and 5 pursuant to Section 504 to permit all lots to have an open, un-enclosed projection of 12 ft. from the rear building face (18 ft. to rear lot line) in lieu of the permitted 7.5 foot projection (lots 1-4, 8-14, 17-23, 29-35, 37-39, and 42-47),

E. From Section 1B01.2.C.1.b of the B.C.Z.R. and C.M.D.P. Residential Standards, 4, 5, and 6 pursuant to Section 504 to permit the front building face to be within 5 ft. of a property line which is not a public

street right-of-way in lieu of the required 25 ft. (lots 13, 14, 31, 42 and 43)

As to the merits of the proposed development, testimony and evidence presented was that the subject site is approximately 15 acres and is located in the Reisterstown/Glyndon area of Baltimore County. Presently, the site is undeveloped but for an existing single residence, which will be razed. The developer proposes construction of 47 single family houses in the manner shown on the development plan. The site is split zoned, D.R.3.5 (5.89 acres), D.R.2 (4.37 acres), and D.R.5.5 (4.83 acres). The houses will be constructed adjacent to 3 cul-de-sacs to be built on the site. Further, a large open space area which will be left undisturbed in the southwest quadrant of the parcel.

Significant evidence was presented by the developer at the hearing that the proposed PUD-R-1 was in compliance with all of the standards mandated by Section 430.11.D.2 of the B.C.Z.R. The Developer noted that approval of the PUD plan is requested so as to permit a higher density than would be allowed as of right in a D.R.2 section of the parcel. That is, the PUD is proposed so as to allow the developer to construct an architecturally consistent development across the site, while taking advantage of and preserving many of the natural features of the property. The testimony presented in support of the PUD was persuasive and the proposed PUD plan is supported by the various agencies of Baltimore County which reviewed the plan. Favorable comment was received from these agencies, including the Office of Planning and Zoning. More particularly, I am persuaded by the overwhelming testimony that the proposed PUD satisfied those standards set forth in Section 502.1 of the B.C.Z.R. as required by Section 430.11.D.2.b. That is, I do not believe that development in the

manner proposed would be detrimental to the health, safety and general welfare of the surrounding locale. Further, testimony and evidence presented overwhelmingly support a conclusion that the plan complies with all of the standards required in Section 430.11 of the B.C.Z.R. That section includes requirements that the PUD satisfies the economic factor set forth in 430.11.D.2.c; complies with the applicable provisions of the B.C.Z.R. as required by 430.11.D.2.d; meets the objectives and requirements of the PUD enabling legislation set forth in Section 430.11.D.2.e; conforms with the goals/objectives and recommendations of the Master Plan as required in Section 430.11.D.2.f; and does not violate the provisions of any deed or covenant attached to the property as set forth in Section 430.11.D.2.g. It is also to be noted that the density permitted under the site's zoning would support the construction of up to 55 units. Development in this manner is shown in an alternative plan submitted by the Petitioner and marked as Petitioner's Exhibit No. 8. This plan shows a mix of single family, duplex and townhouse units. Clearly, however, the proposed plan is much more compatible with this locale and is a better alternative. Development of the site with single family houses preserves many of the natural features of this tract and is less intrusive on neighboring properties. Further, a large open space area is retained under the proposed plan.

If the development, as shown on Exhibit No. 8 were allowed, a much smaller area of open space would be provided. Further, the proposed architectural elevations of the houses to be constructed, as shown on Petitioner's Exhibit No. 4, is compatible with the neighborhood. For these reasons, and, as summarized in the testimony of Mr. Bauer and Ms. Van Arsdale from the Office of Planning and Zoning, I am convinced that the PUD development is appropriate for this site and should be approved.

Turning next to the development plan, consideration of same must be in accordance with the standards set forth within the development regulations of Baltimore County as contained within the Baltimore County Code. In this respect, an identification and resolution of all development issues must be obtained. The first issue to be considered was a comment from John Lewis of the Office of Zoning Administration. As contained in his written comment, he questioned whether the procedural filing requirements were met and whether the developer had submitted a complete package for review by the appropriate County agencies. However, it was confirmed at the hearing that all County agencies had a full opportunity to review the plan and had, in fact, considered and commented on its merits. Thus, I am convinced that the plan, as submitted, was complete and provided both the reviewing County agencies and public with a full and open opportunity to review and make comment thereon. Certainly, Mr. Lewis' comment is well taken and a procedure need be established for PUD development plans which may be submitted in the future. However, in this case, the question is moot; the plan, as submitted and considered by the County agencies and the public, contains more than enough information for the County agencies to make an enlightened comment and the public to participate.

The second issue raised related to the Zoning Office's request that offsite perimeter properties be identified on the plan. This specific comment was contained in Mr. Lewis' comment. This issue has also been resolved in that the Petitioner has amended its plan to, in fact, show these properties.

The third issue relates to the wording of two of the variances. As detailed on Petitioner's Exhibit No. 1, a comment was received from the Office of Planning and Zoning regarding modification of the variance lan-

guage as it related to variances C. and E. on the schedule attached to the Petition. This language has, in fact, been adopted by the Petitioner and thus, that issue is resolved. My Order shall incorporate this proposed language.

The fourth issue relates to a waiver for standards regarding street trees to be planted in right-of-ways. This waiver has been recommended by the Department of Public Works and will be approved by me. This is another issue where there has clearly been an agreement by all parties; namely, that the benefits of the heightened landscaping by the planting of trees in the street right-of-ways justifies a waiver from the strict public works standards.

The fifth issue relates to another Department of Public Works requirement and was not resolved by consent at this hearing. Specifically, this issue relates to a potential extension of the sewer line from the southeast portion of the site to the Ramsburg tract located adjacent to that quadrant of the tract. Further, potential sewer service by way of said extension to other properties on Wilson Avenue is contemplated by the Department of Public Works.

In this regard, testimony was received from James R. Logan of the Department of Public Works. Mr. Logan's testimony was well presented and fully sets forth his department's reasoning behind their request. He noted that sewer access to the subject site will be from an existing sewer line on Bond Avenue. As shown on the plan, the developer proposes to extend the sewer into the subject site to serve the three cul-de-sacs and panhandle driveways around which the proposed 47 hours will be built. The developer's plan shows that the proposed sewer will terminate in the bed of the cul-de-sac on the southeast side of the property. Further, at the

hearing, the developer agreed to provide an easement for Baltimore County from that termination point across lots nos. 12 and 13 to the tract's property line with the Ransburg property.

Mr. Logan noted that the existing houses on Wilson Avenue, which is a public road, do not have public sewerage. He noted that these properties are landlocked and notwithstanding the existence of a ridge line on the southeast corner of the subject site, believes that the sewer line should be brought to the Wilson Avenue properties through the proposed development. In fact, all of the parties seemingly agree with Mr. Logan's conclusion that public sewer to the Wilson Avenue properties should be through the subject property and that the connection should be made at the time of the development of this tract. As is the case in many instances, the real issue relates to monetary considerations and whether the developer should be required to extend the sewer. As noted above, the developer proposes terminating the sewer but agrees to provide an easement necessary for extension if the County or offsite residents wish to pay for such extension.

The crux of the issue relates to an adopted policy of the Department of Public Works as it relates to development. A clarification of that policy is contained in Memorandum 03-90, adopted by the Department of Public Works on or about January 21, 1991. The Memorandum attempts to clarify those requirements which a developer must satisfy related to sanitary sewer construction. The Memorandum notes that a public easement must be provided to allow sewer access to adjacent landlocked properties and, if feasible, the sewer itself "must be extended to at least the nearest upstream property." (emphasis added). The issue in this case is whether the houses on Wilson Avenue are upstream. If they are upstream, the

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: March 15, 1993

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for March 15, 1993
Item No. 298

The Development Plan Review Section has reviewed the subject zoning item. We recommend that additional landscaping be required, over and above that normally required by the Landscape Manual, to help mitigate any variances that are granted.

Robert W. Bowling
ROBERT W. BOWLING, P.E.
Senior Engineer
Development Plan Review

RWB:DAK:u

Maryland Department of Transportation
State Highway Administration

3/15/93
93-2190
O. James Lighizer
Secretary
Hal Kassoff
Administrator

3-3-93

Ms. Julia Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: +298 (JLL)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is 410-333-1350

Typewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: March 16, 1993

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #298
The Preserve, (Webb Property)
Zoning Advisory Committee Meeting of March 8, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains, Forest Conservation Regulations.

JLP:rmp
Attachment
PRESERVE/DCRMP

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21286-5500

MARCH 16, 1993

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: JOANNE F. WEFF, PERSONAL REP. OF THE ESTATE
OF HAROLD L. WEFF

Location: "THE PRESERVE"

Item No.: +298 (JLL) Zoning Agenda: MARCH 8, 1993

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: *Carl J. J. J.*
Planning Group
Special Inspection Division

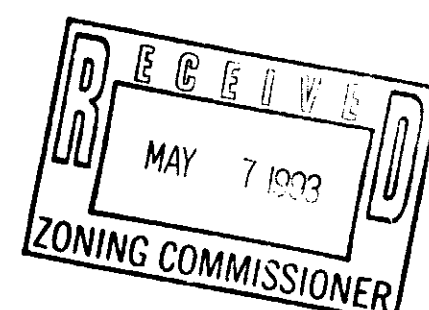
JP/KEH

BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence

TO: Mr. Lawrence E. Schmidt
Zoning Commissioner
DATE: May 4, 1993

FROM: Gene L. Neff, Director
Department of Public Works

SUBJECT: Development Plan Hearing
"The Preserve"
Case No. IV-443 & 93-283A
(Project No. 92-288-0)



The decision of the Hearing Officer in the subject case has been brought to my attention. I feel that the ruling as it relates to one of the Department of Public Works policies is inconsistent with the intent of that policy.

That policy identified as Memorandum 03-90 is included in the Baltimore County Code of Regulations as required by the Baltimore County Code. I believe the policy has been quoted accurately but the term "upstream" has been applied to the surface topography and the overland flow of water and not to the flow of sewage in a pipe system.

In the language of gravity sewer design, construction to an adjacent property is "upstream" if it can be served by an extension of that gravity sewer regardless of whether the ground elevation of the property is higher or lower. Although topography is a general guide in estimating the ability to serve property by gravity sewer, it is frequently possible without the use of extraordinary means to serve higher elevation adjacent properties. The policy is intended to include properties which are "upstream" on a gravity sewer. The physical connection of the upstream property to the gravity sewer would be higher in elevation than the physical connection of the property in for development.

Our engineers in the Development Plan Review Section advise me that the sewer extension would serve one existing lot and would be approximately 10'-12' in the ground. This is in no way a deep sewer as proffered by Mr. Haile and is actually average in depth or less than average and can be extended at minimal additional cost.

I have enclosed a copy of our policy which was formally adopted after an advertised public hearing. The gravity sewer is certainly feasible and it would serve the adjacent, upstream property. If you agree with the use of the term "upstream property" as used in the context of gravity sewer service, I am sure you will agree that our request of the developer of The Preserve is in accordance with our policy.

If you require additional information or would like to discuss this further, please call me at 887-3306.

GLN:THW
Enclosure
c: Lee Parks
Arnold Jablon
Robert Bowling

Baltimore County Government
Department of Public Works

111 West Chesapeake Avenue
Towson, MD 21204

POLICY AND PROCEDURE
MEMORANDUM NO. 03-90

POLICY FOR SANITARY SEWER MAIN EXTENSIONS

Section 12.3 of the Development Procedures and Policy Manual is hereby clarified as follows:

In determining the limits of sanitary sewer construction related to development projects, if the upstream or adjacent property is planned for future sewer service, that is, Categories S-1 to S-6 in the WATER SUPPLY & SEWERAGE PLAN, then:

1. The provision of a public easement is required to the upstream property line to allow landlocked properties access to public sewer; and
2. When a gravity sewer is feasible to serve the upstream property, then the sewer (not just an easement) must be extended to at least the nearest upstream property. Additional easements may be required to prevent landlocking any other adjacent property, and, if required by Baltimore County, the developer shall also extend the sewer itself to those other upstream properties.
3. When a gravity sewer is not feasible, only an easement need be extended to adjacent properties. Extension of the sewer itself is not required in this case.

No extension of facility or provision of an easement should be undertaken relative to an S-7 "NO PLANNED SERVICE AREAS" property.

Robert E. Covahy 12/31/90
ROBERT E. COVAHEY, P.E. DATE
CHIEF, BUREAU OF PUBLIC SERVICES

Gene L. Neff 1/2/91
GENE L. NEFF, P.E. DATE
DIRECTOR, DEPT. OF PUBLIC WORKS

P.3/POLPRO

BALTIMORE COUNTY PUBLIC SCHOOLS

Department of Planning
Concept Plan Conference

of Dec 7, 1992

Development: The Preserve (Alternative Development Scheme)
Location: Bond Ave
Election District: 4 Councilmanic District: 3

Comments

<u>School Districts</u>	<u>Capacity</u>	<u>Enrollments</u>			<u>Projections</u>			<u>9/92 Status</u>
		<u>1990</u>	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>Over/Under Capacity</u>
<u>Lyndon</u> Elem.	462	508	518	516	525	615	636	+84
<u>Franklin</u> Middle	967	923	941	1053	1111	1219	1312	+80
<u>Franklin</u> High	935	1112	1137	1117	1136	1202	1293	+182

School Projects in the Six-Year Capital Improvement Program:

Proposed School	Status	Capacity	Estimated to open
<u>Lyndon El. Addn</u>	FY95		

BUREAU OF PUBLIC SERVICES

Number of Proposed Housing Units	Type of Housing	Estimated Pupil Yields
16	Single Family	15 Elementary
40	Townhouses	7 Middle
		9 High

D2/13

BALTIMORE COUNTY PUBLIC SCHOOLS

Department of Planning
Concept Plan Conference

of March 24, 1993

Development: The Preserve
Location: Bond Ave
Election District: 4 Councilmanic District: 3

Comments

<u>School Districts</u>		<u>Capacity</u>	<u>Enrollments</u>			<u>Projections</u>			<u>9/92 Status</u>
			<u>1990</u>	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>Over/Under</u>
									<u>Capacity</u>
<u>Lyndon</u>	Elem.	462	508	518	546	525	615	636	+84
<u>Franklin</u>	Middle	967	923	941	1053	1111	1219	1342	+84
<u>Franklin</u>	High	935	1111	1137	1117	1136	1202	1293	+182

School Projects in the Six-Year Capital Improvement Program:

Proposed School	Status	Capacity	Estimated to open
<u>Lyndon El. Addn</u>	FY95		

Number of Proposed Housing Units	Type of Housing	Estimated Pupil Yields
47	Single Family	11 Elementary
		7 Middle
		10 High

D2/13

Development Plan Conferences Schedule

WEDNESDAY THE PRESERVE
 Date: 3.22.93 Project: SNOW-4122-2094 JAMES A. REISTERSTOWN COURT # IV-443
 Project Manager: DONALD O. SCHAFFEL Phone #: 410.821.1160
 Time: 7:00 AM Meeting Location: 123 County Office Building
 Councilmanic District: 1st Engineer: Don-McDermott-410.821.1160

Date: Project: #
 Project Manager: Phone #:
 Time: Meeting Location:
 Councilmanic District: Engineer:

Date: Project: #
 Project Manager: Phone #:
 Time: Meeting Location:
 Councilmanic District: Engineer:

For more information please call the Project Manager listed.

Hearing Officer Hearings Schedule

WEDNESDAY THE PRESERVE
 Date: 3.22.93 Project: SNOW-4122-2094 JAMES A. REISTERSTOWN COURT # IV-443
 Project Manager: DONALD O. SCHAFFEL Phone #: 410.821.1160
 Time: 7:00 AM Meeting Location: 123 County Office Building
 Councilmanic District: 1st Engineer: Don-McDermott-410.821.1160

CONTINUED
 Date: Project: #
 Project Manager: Phone #:
 Time: Meeting Location:
 Councilmanic District: Engineer:

Date: Project: #
 Project Manager: Phone #:
 Time: Meeting Location:
 Councilmanic District: Engineer:

For more information please call the Project Manager listed.

State of Maryland

LETTERS OF ADMINISTRATION

Estate No. _____

I certify that Administration of the Estate of _____

was granted on the _____ day of _____, 19____

to _____

Personal Representative and the appointment is in effect this _____ day of _____, 19____

 Register of Wills for Baltimore County

VALID ONLY WITH IMPRINTED SEAL

DMW
 Deft-McCune Walker Inc.

ZADM

3.18.93
 22455
 John Lewis
 The Preserve 93-022A
 rand

1. 12/14/90 Now Letter of Administration - of Carl

Also Telephone Contact to Jeanne H. Webb can be made via Mr. Hurst Hessey 539-3300

Rob Hoffman
 Ron Schaffel

Dde Bauman

The Southern Land Company, Inc.

March 22, 1993

Mrs. Lorraine E. Wojick
 13 Bon Oak Court
 Reisterstown, Maryland 21136

Re: The Preserve

Dear Mrs. Wojick:

At the Community Input Meeting held January 7, 1993, Mr. Don Rascoe of the Baltimore County Department of Zoning Administration and Development Management identified you as a community contact person.

The Development Plan Hearing for this project has been scheduled for Wednesday, April 14, 1993. A copy of the Notice of Hearing is attached and includes the details of time and place.

A copy of each of the following items is enclosed:

- PUD R1 Authorization/Development Plan
- Final Landscape Plan/Preliminary Forest Conservation Plan (2 sheets)

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Ronald O. Schaffel
 President

ROS:mtf
 enclosures

cc: Mr. Don Rascoe

p/cim

The Southern Land Company, Inc.
 22 West Allegheny Avenue • Suite 210 • Towson, Maryland 21204
 (410) 821-1160 • Fax (410) 821-1096

The Southern Land Company, Inc.

March 22, 1993

Ms. Renata Rameburg
 4218 Wickford Road
 Baltimore, Maryland 21210

Re: The Preserve

Dear Renata:

At the Community Input Meeting held January 7, 1993, Mr. Don Rascoe of the Baltimore County Department of Zoning Administration and Development Management identified you as a community contact person.

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If you have any questions, please do not hesitate to contact me.

Very truly yours,

Ronald O. Schaffel
 President

ROS:mtf
 enclosures

cc: Mr. Don Rascoe

p/cim

The Southern Land Company, Inc.
 22 West Allegheny Avenue • Suite 210 • Towson, Maryland 21204
 (410) 821-1160 • Fax (410) 821-1096

The Southern Land Company, Inc.

March 22, 1993

Mr. Lewis Dardick
 5 Paterwal Court
 Reisterstown, Maryland 21136

Re: The Preserve

Dear Mr. Dardick:

At the Community Input Meeting held January 7, 1993, Mr. Don Rascoe of the Baltimore County Department of Zoning Administration and Development Management identified you as a community contact person.

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Very truly yours,

Ronald O. Schaffel
 President

ROS:mtf
 enclosures

cc: Mr. Don Rascoe

p/cim

The Southern Land Company, Inc.
 22 West Allegheny Avenue • Suite 210 • Towson, Maryland 21204
 (410) 821-1160 • Fax (410) 821-1096

The Southern Land Company, Inc.

March 22, 1993

Ms. Mary Brooks Profaci
 Glyndon Community Association
 506 Bond Avenue
 Glyndon, Maryland 21701

Re: The Preserve

Dear Ms. Profaci:

At the Community Input Meeting held January 7, 1993, Mr. Don Rascoe of the Baltimore County Department of Zoning Administration and Development Management identified you as a community contact person.

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If you have any question, please do not hesitate to contact me.

Very truly yours,

Ronald O. Schaffel
 President

ROS:mtf
 enclosures

cc: Mr. Don Rascoe

p/cim

The Southern Land Company, Inc.
 22 West Allegheny Avenue • Suite 210 • Towson, Maryland 21204
 (410) 821-1160 • Fax (410) 821-1096

The Southern Land Company, Inc.

March 22, 1993

Mrs. Rebecca Cohn
633 Glynita Circle
Reisterstown, Maryland 21136

Re: The Preserve

Dear Mrs. Cohn:

At the Community Input Meeting held January 7, 1993, Mr. Don Rascoe of the Baltimore County Department of Zoning Administration and Development Management identified you as a community contact person.

The Development Plan Hearing for this project has been scheduled for Wednesday, April 14, 1993. A copy of the Notice of Hearing is attached and includes the details of time and place.

A copy of each of the following items is enclosed:

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- Final Landscape Plan/Preliminary Forest Conservation Plan (2 sheets)

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Ronald O. Schaffel
Ronald O. Schaffel
President

ROS:mf
enclosures

cc: Mr. Don Rascoe

p/cim


The Southern Land Company, Inc.
22 West Allegheny Avenue • Suite 210 • Towson, Maryland 21204
(410) 821-1160 • Fax (410) 821-1096

PLEASE PRINT CLEARLY

Petitioner
CITIZEN SIGN-IN SHEET

NAME	ADDRESS
Rob Hoffman	210 Allegheny Ave
Ronald Schaffel	22 W. Allegheny Ave S. 210
Dick Bauman	100 E. Pennsylvania Ave
George Gavelis	
John Tansou	
Ed Hailes	
DAVID ALTEUS	22 W. Allegheny Ave S. 210

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME	ADDRESS
James Paul	10401 Wilson Ave Reisterstown
Kevin H. Rasmussen	10401 Wilson Ave Reisterstown
Kevin H. Rasmussen	10401 Wilson Ave Reisterstown
W.H. Rasmussen	" " " "
Kevin Paul	19 Bow Oak Ct 21226
JERRY KATZ	12316 TIMBERGROVE RD 21117

The Preserve

Compatibility Findings

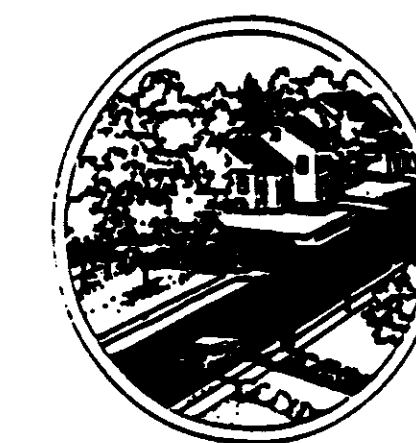
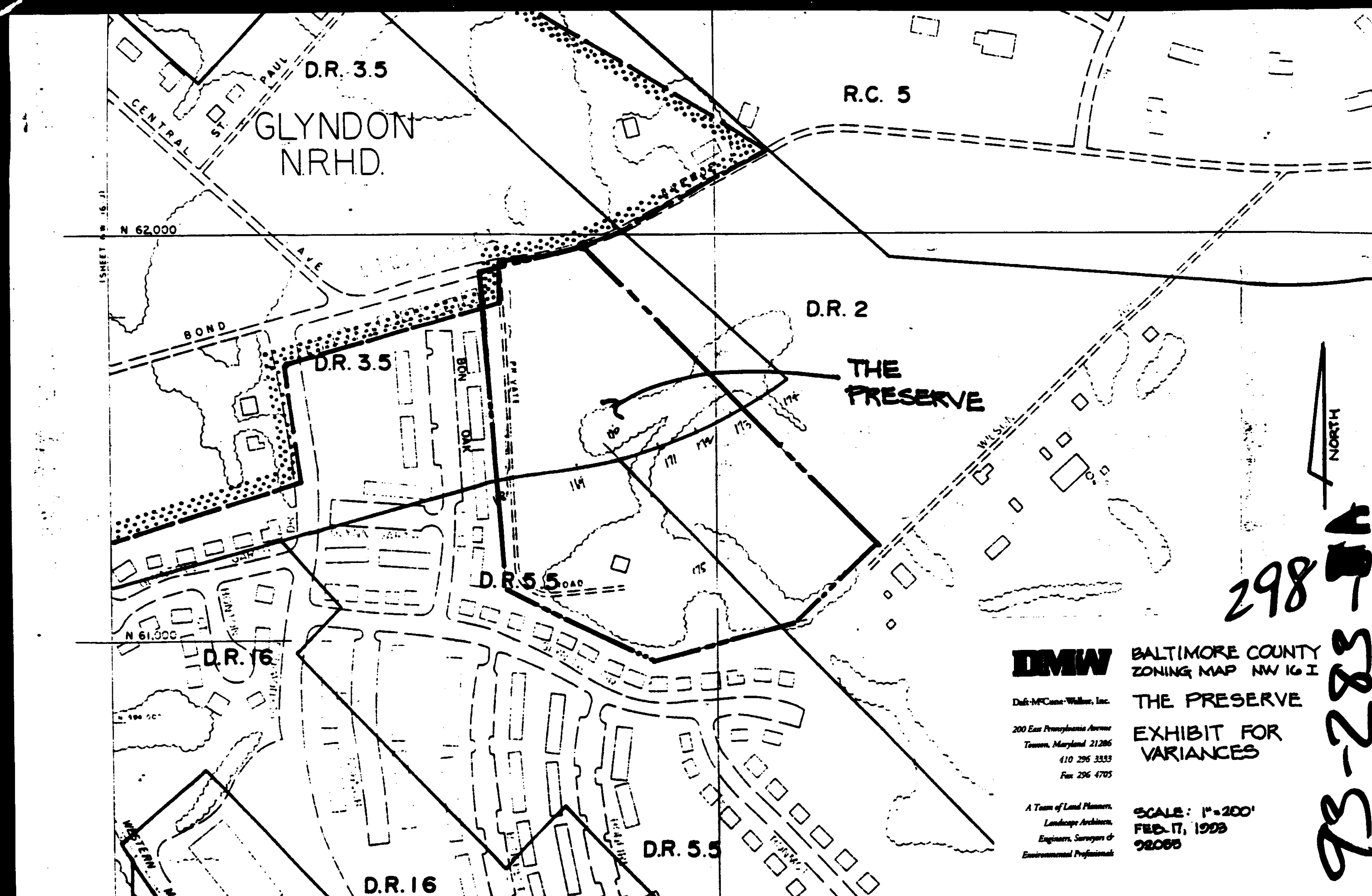
November 1992

Project No. 92055

PETITIONER'S
EXHIBIT 10-5

Prepared for:
The Southern Land Company, Inc.
22 West Allegheny Avenue, Suite 210
Towson, Maryland 21204

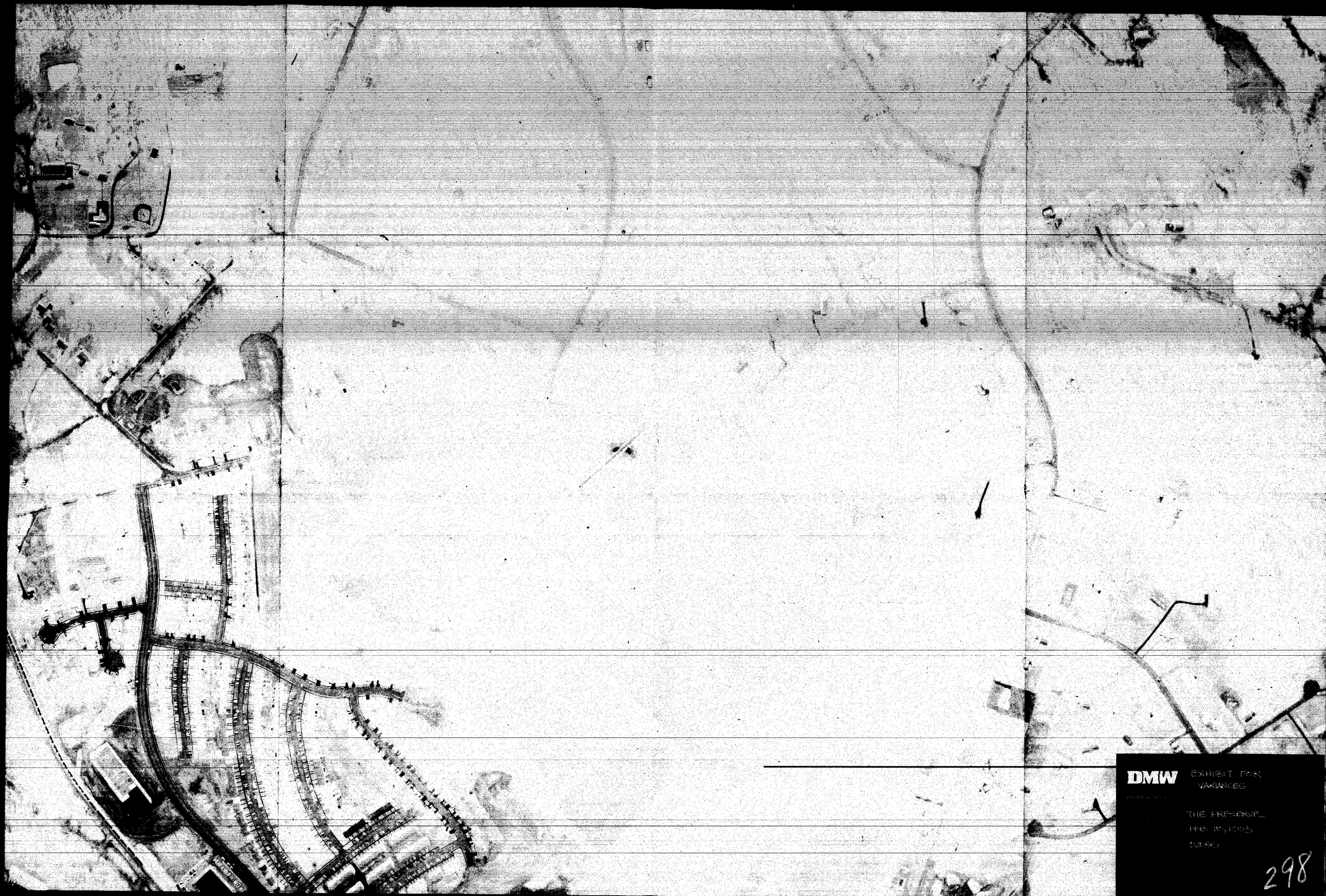
 Prepared by:
Daft McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286



PLANNED UNIT DEVELOPMENT

Introduction	1
Site Planning	5
Buildings	13
Open Space	25
Streets	30
Parking	44

PETITIONER'S
EXHIBIT 10-5



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

ST. GEORGE
VICINITY

SHEET

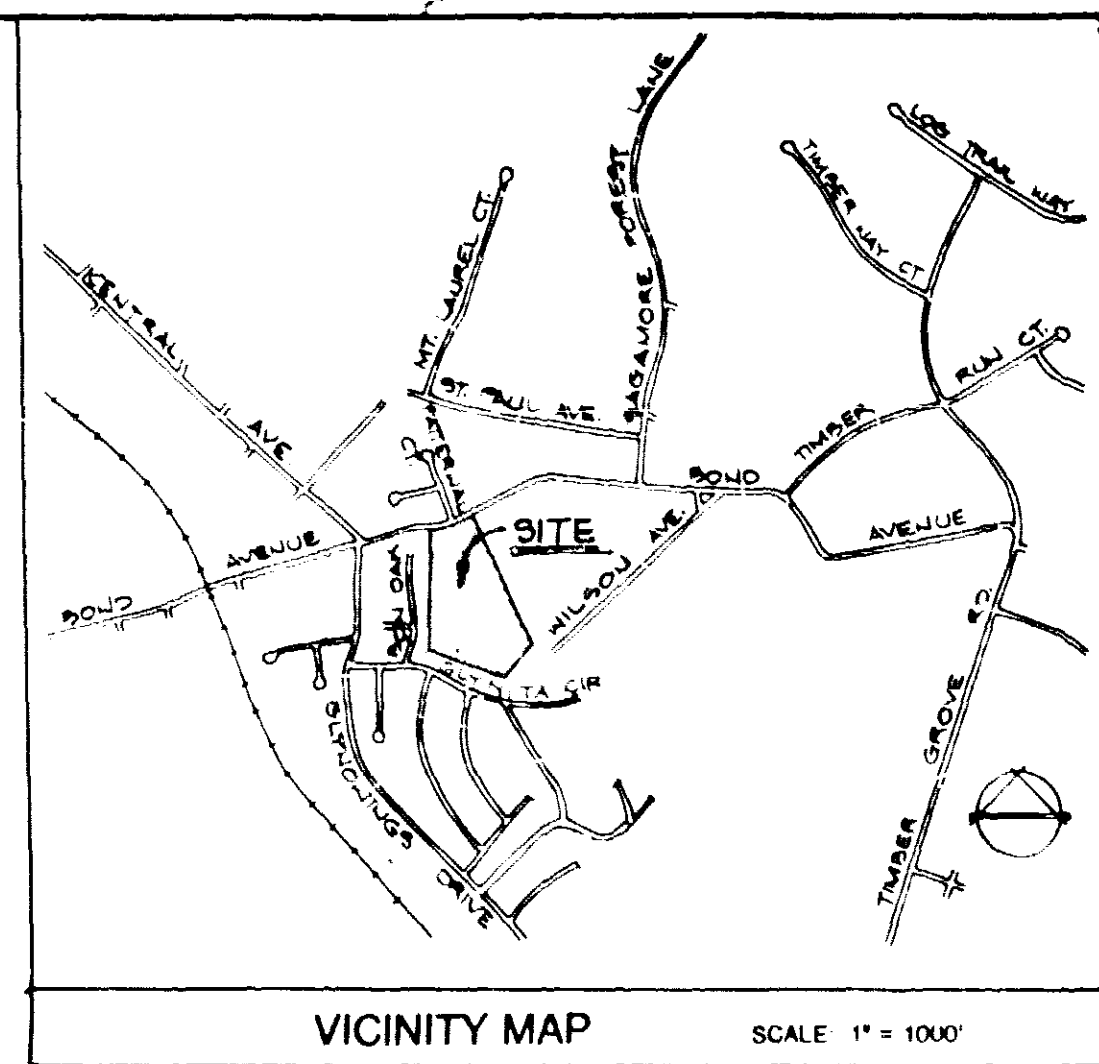
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16-1

DMW EXHIBIT FOR
VARIANCES
THE PRESERVE
166-10023
100-000

298

93-283-A

 REVISIONS	ISSUE DATES	
	REVIEW	1/23
	NO:	
	PERMIT	
	CONSTRUCTION	
	BASE	COM
	DRAWN	
	DESIGNED	TRM/ALB
	CHECKED BY:	ALB
	DATE CHECKED:	
SCALE 1" = 50'		
PROJECT NO. 92003		
DRAWING		
{ OF }		



**The Preserve PUD-R-1
Requested Modification of Zoning
Standards and Required Variances**

Zoning	Lot No	Modifications Requested						
		A	B				C	T
			1	2	3	4		
DR 3.5	36	✓					✓	✓
DR 3.5/DR 3.5	37	✓					✓	✓
DR 3.5/DR 3.5	38	✓					✓	✓
DR 3.5/DR 3.5	39	✓					✓	✓
DR 3.5	40	✓					✓	✓
DR 3.5	41	✓					✓	✓
DR 3.5	42	✓					✓	✓
DR 3.5	43	✓					✓	✓
DR 3.5	44	✓					✓	✓
DR 3.5	45	✓					✓	✓
DR 3.5	46	✓					✓	✓
DR 3.5	47	✓					✓	✓

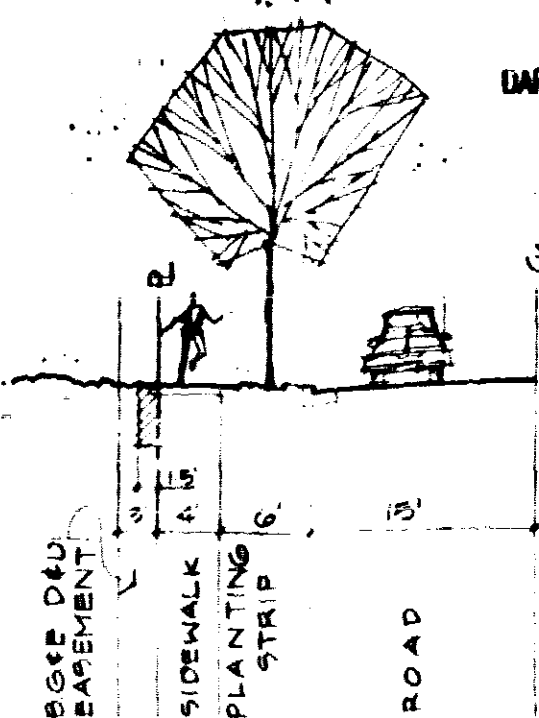
- [illegible]

- | General Notes | |
|--|---|
| 1 Developer | <p>Seachrome Land Company, Inc.
 25 West Alhambra Avenue, #210
 Los Angeles, CA 90024
 Phone: 813-1116</p> |
| 2 Consensus tract | 646157 |
| 3 Waterbody | 27 |
| 4 Surveyed | 1962 |
| 5 | <p>Existing riparian average drainage basin shall be pumped and either backfilled or removed, prior to determination of existing water. Existing, eroded waterways shall be removed and replaced with a 100-year flood plain and with abandonment reports submitted to Belmont County 10/1/93 PM.</p> |
| 6 | <p>There are no known streams, wetlands, underground tanks or hazardous materials on the site.</p> |
| 7 Average 2500 Trips | 747 Single-lane turn at 10.0k: 16 = 470 ADT |
| 8 | <p>The property boundary and topographic information shown herein was determined by a field survey performed by T. J. Paul-Care Walker, Inc. (CWPI) including 1992.</p> |
| 9 Utility information shown herein is a compilation of field survey data, supplemented by record drawings. | |
| 10 | <p>This plan has been prepared in accordance with conditional approval issued January 21, 1993 by the Belmont County Planning Board.</p> |
| 11 | <p>The existing 100-year flood plain shown above on the plan. The proposed 100-year flood plain will be contained within the flood plain overlay.</p> |
| 12 | <p>Flow shall not be diverted and maintained by Belmont County including the CWPI facility.</p> |
| 13 | <p>Open space will be completed in accordance with the field landscape plan prepared by DMW, dated February 1993.</p> |
| 14 | <p>Existing trees and shrubs are shown on the Preliminary Forest Conservation Plan prepared by DMW dated February 8, 1993.</p> |
| 15 | <p>All residences will have built-in or detached garages.</p> |
| 16 | <p>Stormwater Management will be provided by an excavated facility as shown, subject to the existing drainage patterns have been made to the plan as a result of future studies. 4.2 AFR-11-93</p> |
| 17 | <p>The CMA for this project was held January 7, 1993 at Glyndon Elementary School. The following resolutions have been made to the plan as a result of issues discussed at the CMA:</p> |
| 18 | <ul style="list-style-type: none"> • Modified wetland boundaries on Lots 45-47 • Modified Forest Land 12 • Added a Forest Land 12-15 (see Paul Landscaping Plan) |
| 19 COWNER | <p>Holdings & Sons LLC
 4000 S. 10th Avenue, Suite 100
 Denver, CO 80202</p> |

NOTE: LOT ENVELOPES SHOWN
DICTATE A SPECIFIC ORIENTATION
WHICH A LON'S COMPLIANCE WITH
THE BALTIMORE COUNTY ZONING
REGULATIONS AS 1900 FILED BY HIS
PETITION, SHOULD THE ORIENTATION
CHANGE, THE SETBACKS REQUIRED
BY SECTION 201.2 OF 1900, AS MODIFIED
BY THIS PETITION, MUST BE MET.

PRINTED
FEB 25 1955

DAFT-McCUNE-WALKER, INC



RECEIVED BY: [illegible] DATE: [illegible]
[illegible]

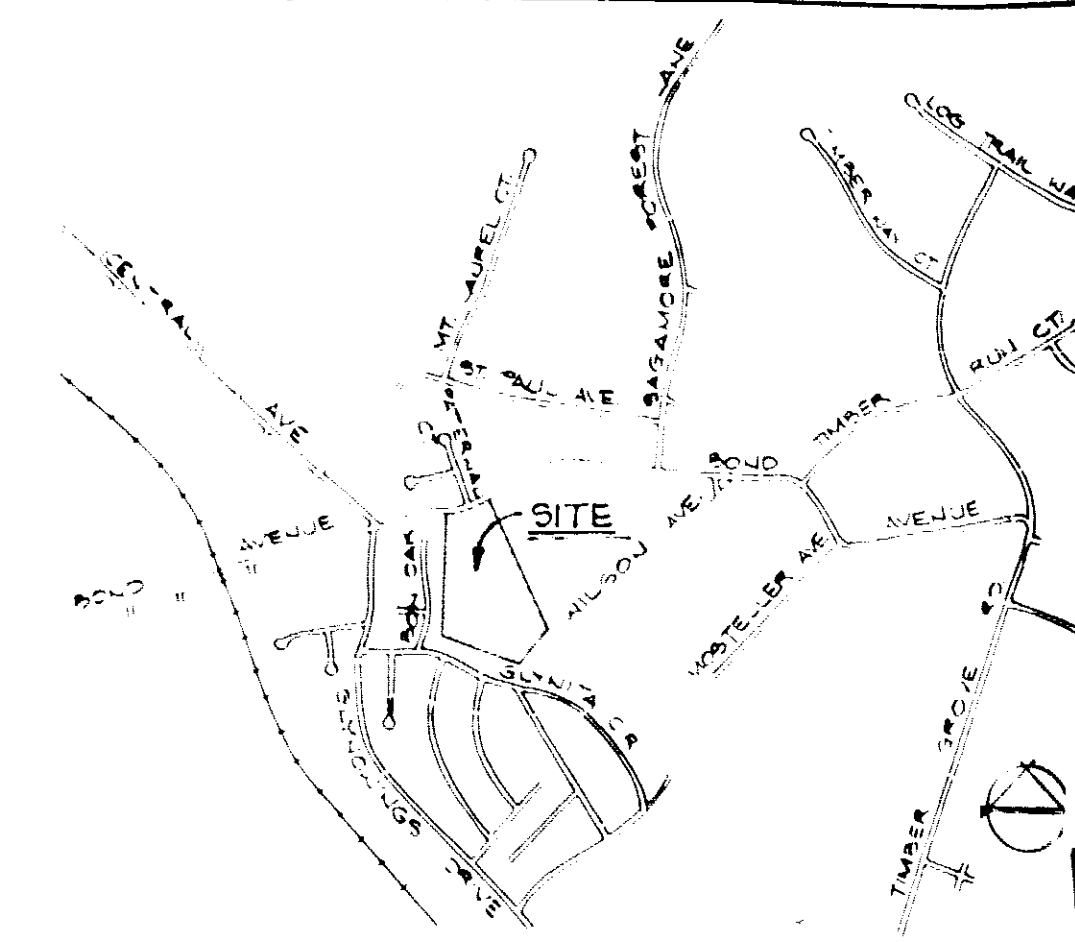
DMW
Daft · McCune · Walker, Inc.
A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

PLAN TO ACCOMPANY VARIANCE PETITION

The Preserve

4th Election District, Baltimore County, MD
3RD COUNCILMANIC DISTRICT

REVISIONS DATE: <u>11/1/83</u> BY: <u>W. J. [Signature]</u> REASON: <u>1. [illegible]</u> 2. <u>[illegible]</u> 3. <u>[illegible]</u> 4. <u>[illegible]</u> 5. <u>[illegible]</u> 6. <u>[illegible]</u> 7. <u>[illegible]</u> 8. <u>[illegible]</u> 9. <u>[illegible]</u> 10. <u>[illegible]</u>	ISSUE: DATES REVIEW: <u>1/25</u> NO: <u>1</u> PERMIT: <u>143</u> CONSTRUCTION: <u>143</u> BASE: <u>CON</u> DRAWN: <u>143</u> DESIGNED: <u>THE [illegible]</u> CHECKED BY: <u>143</u> DATE CHECKED: <u>1/25</u> SCALE: <u>1" = 50'</u> PROJECT NO.: <u>91055</u> DRAWING: <u>1 OF 1</u>
---	---



VICINITY MAP
SCALE 1" = 1000'

Additional Data

- Developer:
Southern Land Company, Inc.
22 West Allegheny Avenue, #210
Towson, MD 21204
Ph: 821-1160
- The Preserve is a proposed PUD R1 Planned Unit Development, the purpose of which is to provide a coherent development with a single housing type and uniform standards, working with existing features on a site divided by three residential zoning classifications.
- Reforestation Notes:

Proposed forest clearing	1.51	Ac.
Proposed forest retention	0.58	Ac.
Reforestation requirements	3.02	Ac.
Proposed forest following development	3.44	Ac.
- Construction of the proposed stormwater management facility and related drainage facilities shall be completed in accordance with Section 26-276 of the Development Regulations. The purpose of the stormwater management facility is not only to provide management for this project, but to reduce the surcharge potential of the existing downstream 42" drain during a major storm event.
- Open space improvements will include picnic tables, a path system and split rail or similar fencing.
- Proposed Zoning Variances from Section 1B01.2 C 1:
 To permit 20' between adjacent houses in the DR2 zone in lieu of the required 30 feet.
 To permit 13' between one story garages and houses 20' or more in height in lieu of the required 30 feet in the DR2 zone and 20 feet in the DR3.5 and DR5.5 zones.
 To permit 12' between one story garages and houses less than 20' in height in lieu of the required 30 feet in the DR2 zone and 16 feet in the DR3.5 and DR5.5 zones.
 To permit 6' between adjacent one story garages in lieu of the required 30 feet in the DR2 zone and 16 feet in the DR3.5 and DR5.5 zones.

PETITIONER'S
EXHIBIT

SITE DEVELOPMENT PROPOSAL

Dwelling Type	Proposed Units	Parking Required	Parking Provided	Open Space Required	Open Space Proposed	Phase	Development Schedule
Single Family Detached Lot	47	94	94		3.14 ac.	1	1 Year
TOTAL	47	94	94				

* Under PUD R1 plan, 20% of the tract area is required for open space. 15.09 ac. X 20% = 3.02 acres required open space.

SITE DATA

Existing Zoning and Maximum Density Permitted

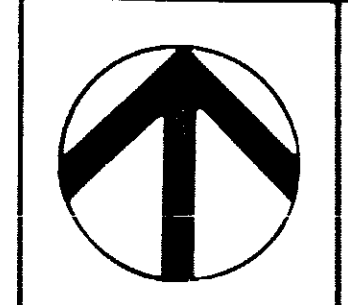
Zone	Acres	Units Allowed	Density Units	Units Proposed
DR2	4.37	8.74		17
DR3.5	5.89	20.62		19
DR5.5	4.83	26.57		11
TOTAL	15.09	55.92		47

OPEN SPACE PROPOSAL

Open Space Type	Acres
Stormwater Management	0.06
Recreation, Trails & Natural areas	2.16
TOTAL	3.14

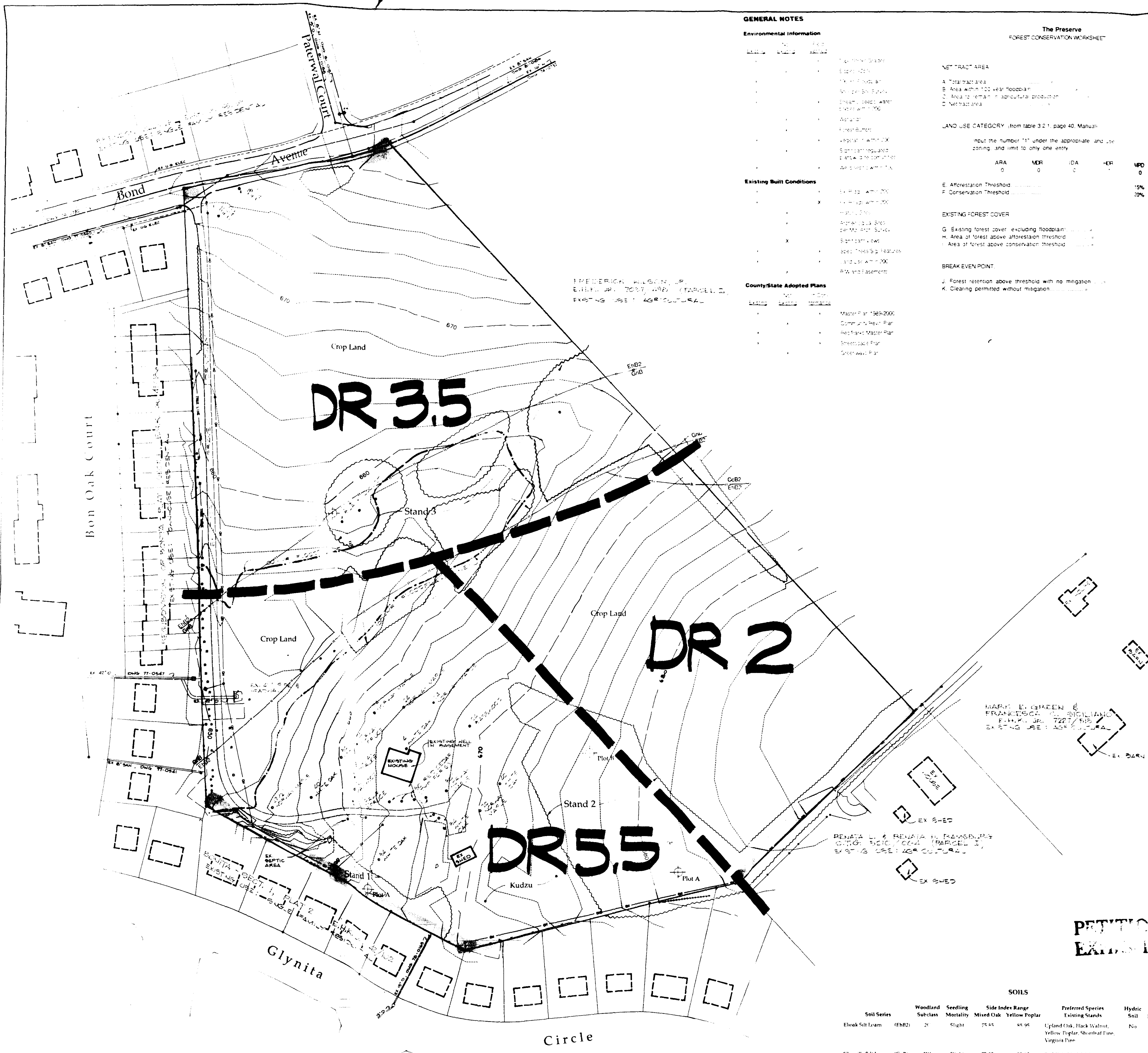
DMW
Daft · McCune · Walker, Inc.
A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals
200 East Pennsylvania Avenue
Towson, Maryland 21206
410 296 3133
Fax 296 4105

Concept Plan
PUD R1 Site Proposals Map
The Preserve
4th Election District, Baltimore County, MD



DATE	BY	REVISIONS

ISSUE DATES	
REVIEW	
NO	
PERMIT	
CONSTRUCTION	
BASE	
DRAWN	
DESIGNED	
CHECKED BY	
DATE CHECKED	
SCALE	
PROJECT NO.	
DRAWING	



GENERAL NOTES

Environmental Information

The Preserve
FOREST CONSERVATION WORKSHEET

29 Oct 92

NET TRACT AREA

A. Total tract area 15.09
B. Area within 100' wet floodplain 1.82
C. Area to remain in agricultural production 0.00
D. Net tract area 13.27

LAND USE CATEGORY (from table 3.2.1, page 40, Manual)

Input the number "1" under the appropriate land use zoning, and limit to only one entry.

ARA 0 MDR 0 IDA 0 HER 0 VPD 0 CIA 0

E. Afforestation Threshold 15% x D = 1.99
F. Conservation Threshold 30% x D = 2.99

EXISTING FOREST COVER

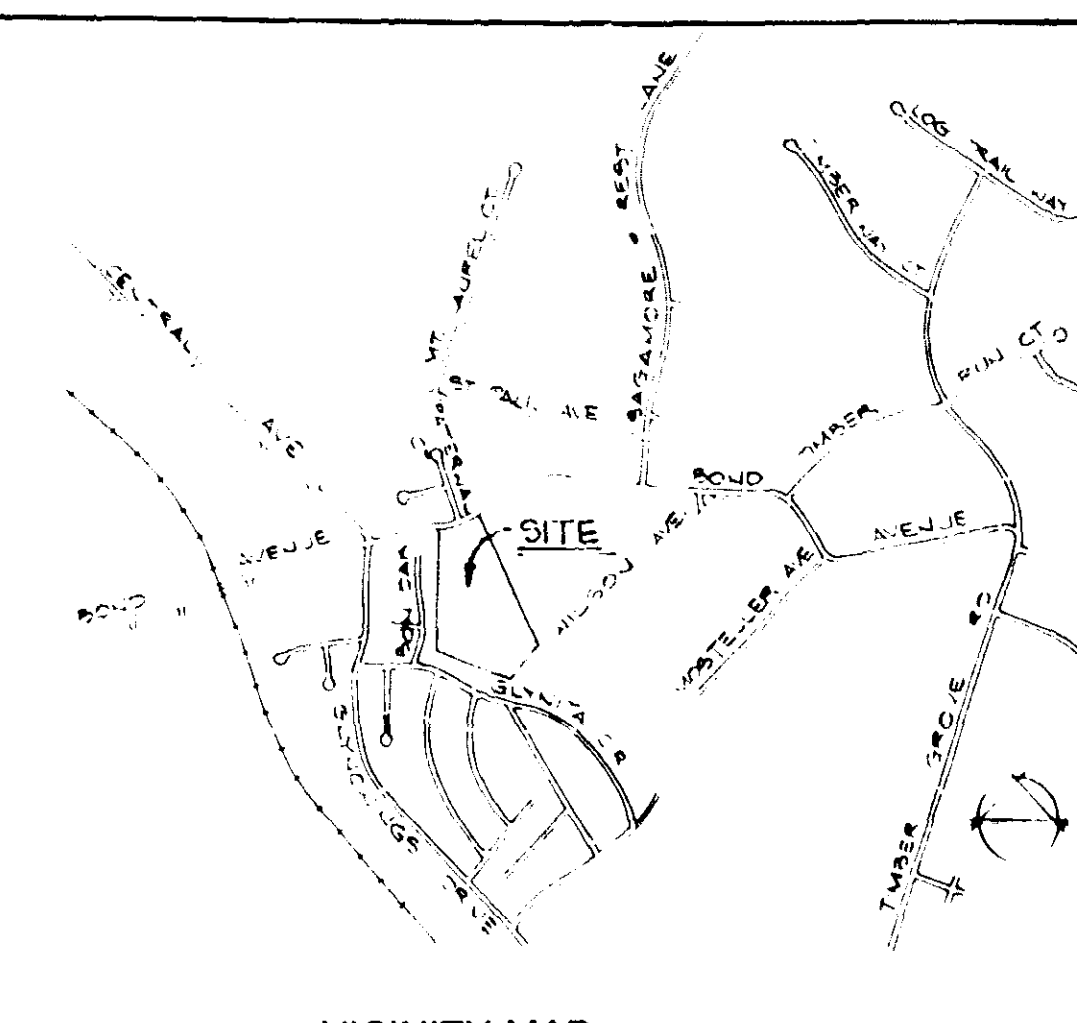
G. Existing forest cover, excluding floodplain 2.09
H. Area of forest above afforestation threshold 0.10
I. Area of forest above conservation threshold 0.00

BREAK EVEN POINT

J. Forest retention above threshold with no mitigation 0.00
K. Clearing permitted without mitigation 0.00

County/State Adopted Plans

Master Plan 1989-2000
Community Development Plan
Residential Master Plan
Greenways Plan



- LEGEND**
- Tree location
 - Forest data collection point
 - Forest stand limit
 - Stand 1 Forest stand label

- NOTES:**
- There are no streams or wetlands on this site.
 - The 100-year floodplain shown on this plan is as defined by the Baltimore County Code (greater than 30 acres of contributing drainage area). The floodplain line is based on the ultimate development of the watershed with no stormwater management assumed.
 - The property boundary information shown herein was determined by a field survey performed by Daft McCune Walker, Inc. in September, 1992.
 - The topography shown herein was determined by a field survey performed by Daft McCune Walker, Inc. in September, 1992.

DAFT MCCUNE WALKER, INC.
200 East Pennsylvania Avenue
Towson, Maryland 21206
410 296 3333
Fax 410 296 4705

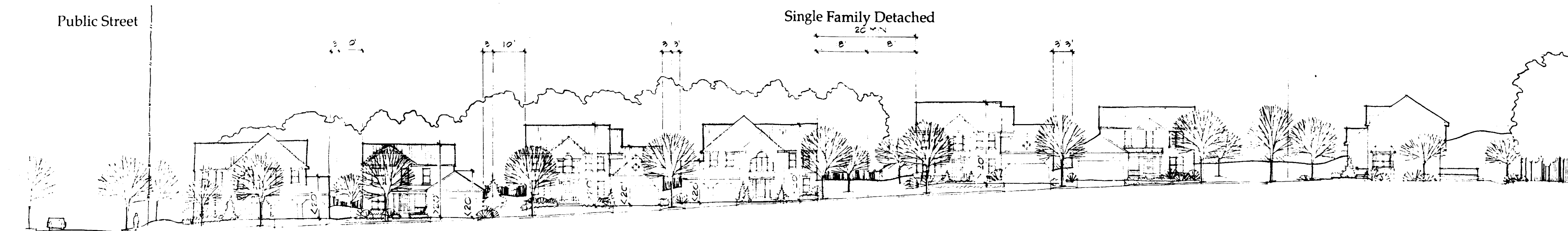
DATE: 10/29/92
BY: [Signature]
CHECKED BY: [Signature]
DESIGNED BY: [Signature]
DRAWN BY: [Signature]
BASE: [Signature]
CONSTRUCTION: [Signature]

DMW
Daft • McCune • Walker, Inc.
A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals

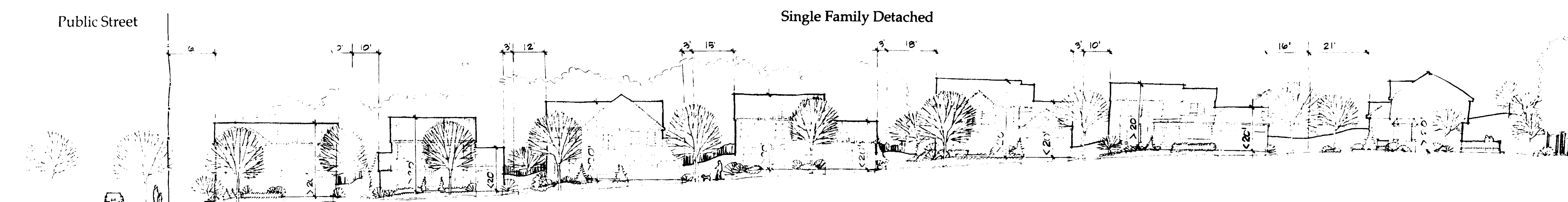
Concept Plan
Site Constraints Map & Forest Stand Delineation
The Preserve
4th Election District, Baltimore County, MD

DATE		BY		REVISIONS	

SOILS					
Soil Series	Woodland Subclass	Seeding Mortality	Side Index Range	Preferred Species	Hydric Soil
Eloak Soil Loam (EHL2)	21	Slight	75-85	Mixed Oak - Yellow Poplar	No
Glenville Soil Loam (GLV2)	2W	Slight	75-85	Red Oak, Black Walnut, Yellow Poplar, Shortleaf Pine, Virginia Pine	No
Chester (CH2)	2B	Slight	75-85	Upland Oak, Yellow Poplar, Ash, Black Walnut, Shortleaf Pine, Virginia Pine	No



A-1



A-2

Concept Plan Site Sections The Preserve

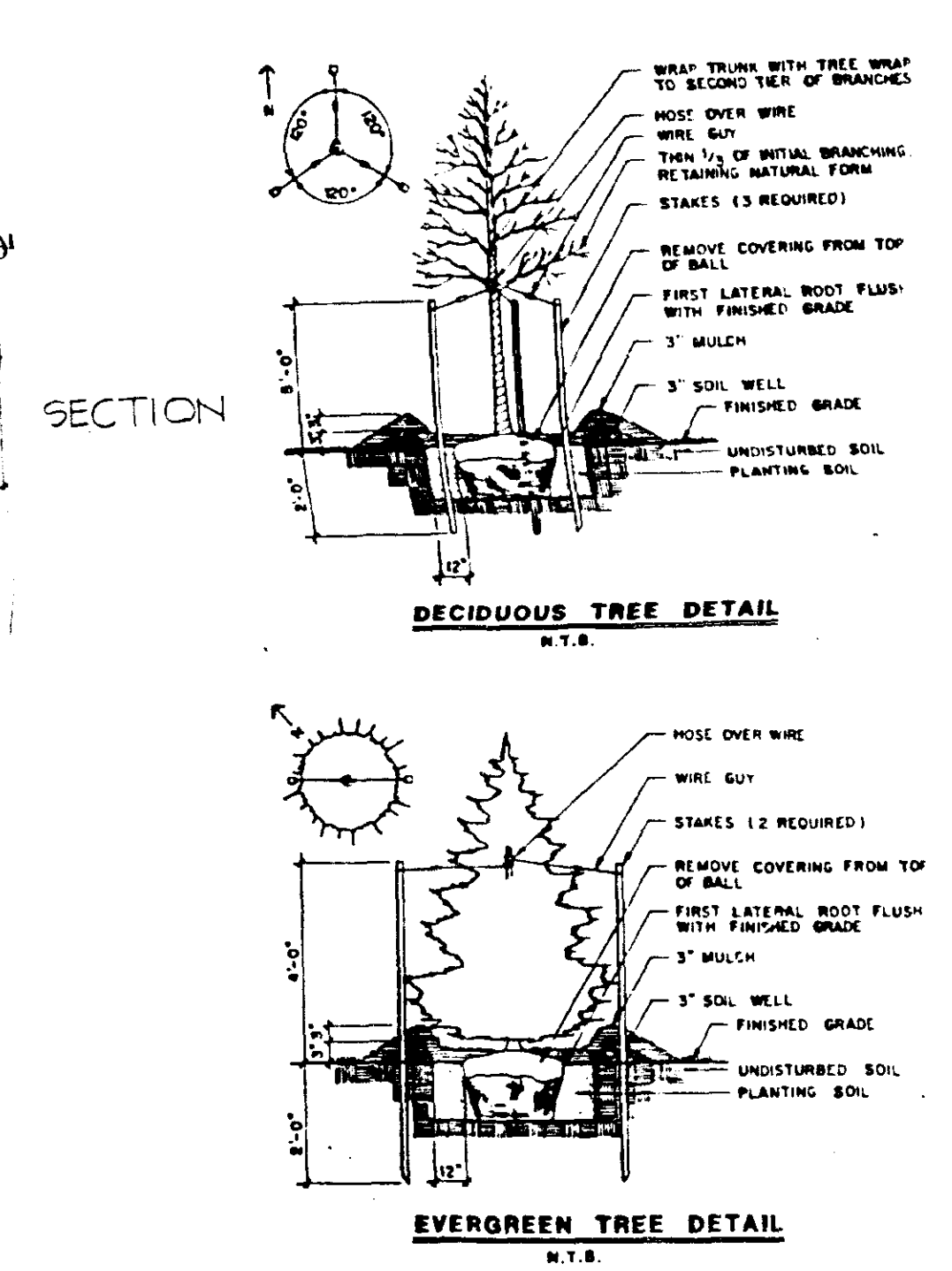
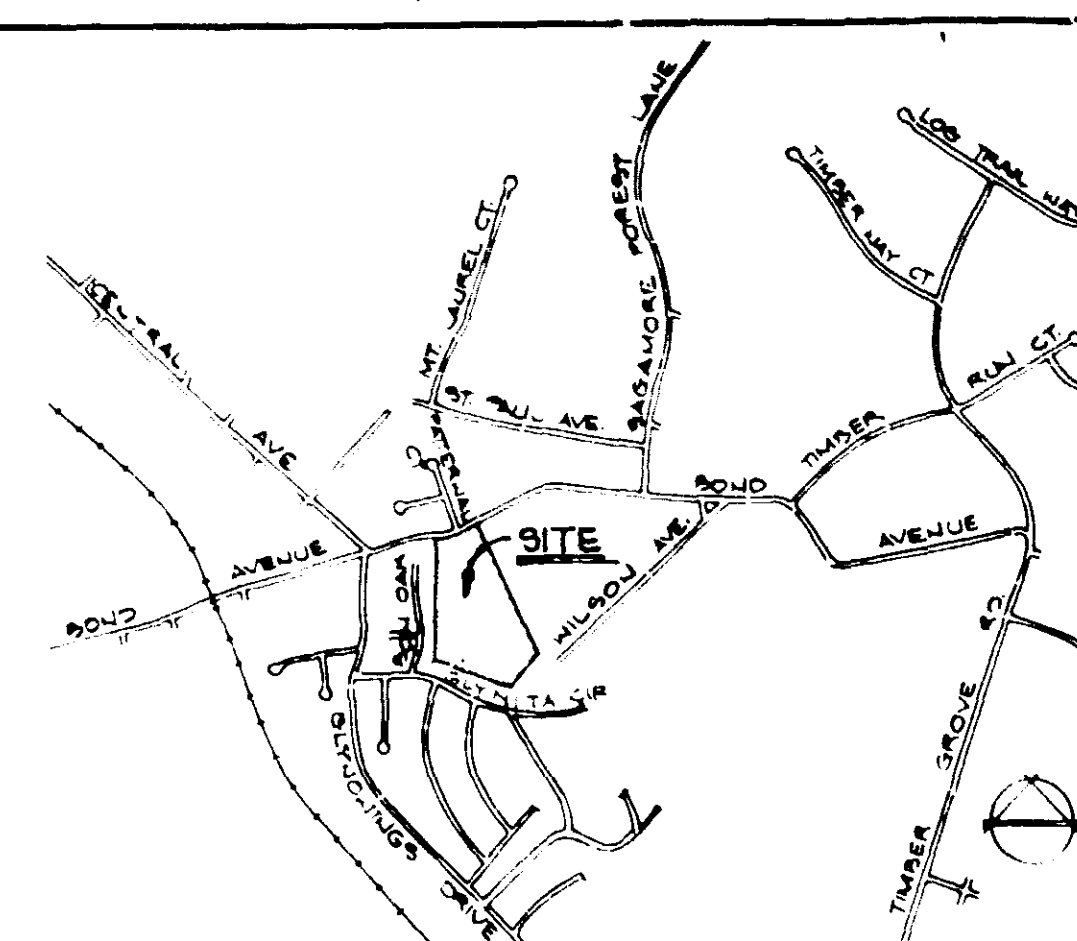
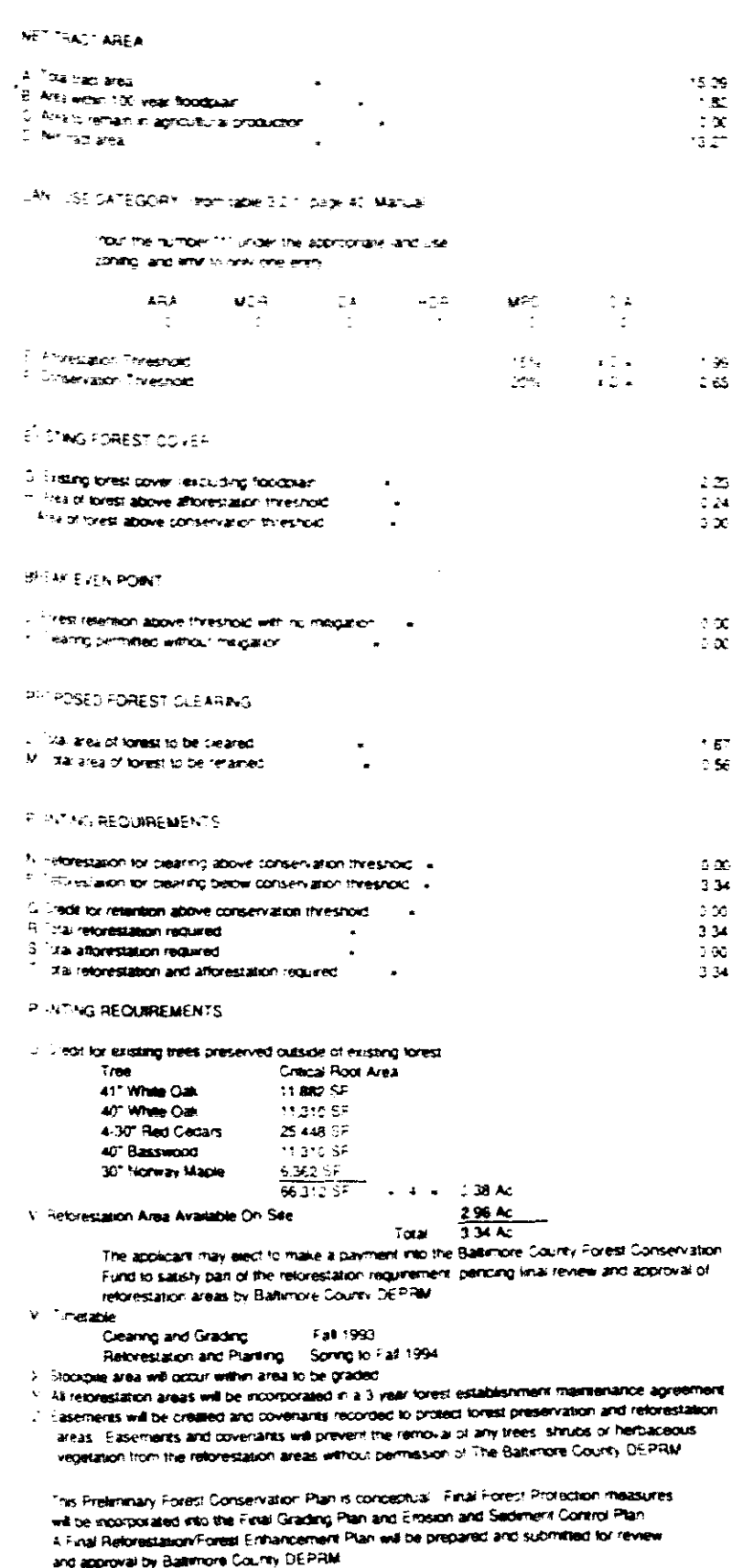
Baltimore County, MD

Prepared for: Southern Land Company, Inc.
Prepared by: Daft McCune Walker, Inc.

Project No. 92055-X
Scale: 1/16" = 1'-0"
Date: January 4, 1993

Note: Dimensions added March 26, 1993

PETTER'S
EXHIBIT No. 4



0-10-1 * 92880-01

Daft · McCune · Walker, Inc.

A Team of Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

200 East Pennsylvania Avenue
Towson, Maryland 21206
410 296 3333
Fax 410 296 4705

FINAL LANDSCAPE PLAN/ PRELIMINARY FOREST CONSERVATION PLAN

The Preserve

4th Election District, Baltimore County, MD

Richard Brown

DATE BY

REVISIONS

DESIGNED BY RICHARD BROWN
REVISED FOR PRELIMINARY FOREST
CONSERVATION PLAN
ADDITIONAL NOTES

ISSUE DATES

REVIEW 2-9-93
BY _____
PERMIT _____
CONSTRUCTION _____
BASE COM
DRAWN HGP
CHECKED HGP
DATE CHECKED 2-9-93
SCALE 1" = 50'
PROJECT NO. 92056
DRAWING _____

1 OF 2

Reforestation Planting Plan

Species	Size	Spacing	Quantity	Stage	Stratum	Tolerance	Remarks
ZONE 1 (.66 Acres)							
Black Gum	1"	20'	39	Pioneer	Canopy	MT	Container
Red Sprigged Maple	1 1/2"	11'	125	Pioneer	Canopy	T-VT	Container
Florida Sweetgum/Eastern Redbud	18"-24"	6"	39	Pioneer	Understory/shrub	T	Container
Florida Sweetgum/Green Ash	1"	20'	39	Pioneer	Canopy	MT	Container
Florida Sweetgum/Cherry	1 1/2"	11'	31	Pioneer	Canopy	T	Container
Florida Yellow Back Gum	1 1/2"	11'	25	Mid-Late	Canopy	T	Container
Florida Yellow Back Gum	Seedling	8"	158	Mid-Late	Canopy	T	Bare Root
ZONE 2 (1.16 Acres)							
Black Gum	1 1/2"	11'	20	Pioneer	Canopy	T-VT	Container
American Hornbeam/Shadow Serviceberry	18"-24"	6"	39	Mid	Understory/shrub	T	Container
Florida Yellow Back/Green Ash/Hickory	1 1/2"	11'	59	Mid-Late	Canopy	T-T	Container
Florida Sweetgum/Eastern Redbud	18"-24"	6"	39	Pioneer	Understory/shrub	T	Container
Florida Sweetgum/Cherry	1 1/2"	11'	31	Pioneer	Canopy	T	Container
Florida Yellow Back Gum	1"	20'	78	Mid-Late	Canopy	T	Container
Florida Yellow Back Gum	Seedling	8"	39	Mid-Late	Canopy	T	Bare Root
Florida Yellow Back Gum	Seedling	8"	39	Mid-Late	Canopy	T	Bare Root
Florida Yellow Back Gum	1 1/2"	11'	59	Mid-Late	Canopy	MT	Container
Florida Yellow Back Gum	Seedling	8"	59	Mid-Late	Canopy	MT	Bare Root
Florida Yellow Back Gum	1 1/2"	11'	59	Mid-Late	Canopy	MT	Container
Florida Yellow Back Gum	Seedling	8"	59	Mid-Late	Canopy	MT	Bare Root
American Hornbeam/Sassafras	1"	20'	20	Pioneer	Canopy	T	Container
ZONE 3 (.45 Acres)							
Black Gum	1 1/2"	11'	20	Pioneer	Canopy	T-VT	Container
American Hornbeam/Shadow Serviceberry	18"-24"	6"	20	Mid	Understory/shrub	T	Container
American Hornbeam	Seedling	8"	39	Pioneer	Canopy	T	Bare Root
Florida Yellow Back/Green Ash	18"-24"	6"	20	Pioneer	Understory/shrub	T	Container
Florida Yellow Back/Gum	Seedling	8"	117	Mid	Understory	VT	Bare Root
American Hornbeam	1 1/2"	11'	39	Mid-Late	Understory	VT	Container
Florida Yellow Back/Cherry	1 1/2"	11'	31	Pioneer	Canopy	T	Container
Florida Yellow Back Gum	1 1/2"	11'	20	Mid-Late	Canopy	T	Container
Florida Yellow Back Gum	1"	11'	10	Pioneer	Canopy	I	BAB
Florida Yellow Back Gum	Seedling	8"	50	Pioneer	Canopy	I	Bare Root
Florida Yellow Back Gum	1"	20'	39	Pioneer	Canopy	MT	Container
Florida Yellow Back Gum	1 1/2"	11'	20	Mid-Late	Canopy	MT	Container
ZONE 4 (3 Acres)							
Florida Yellow Back/Gum	Seedling	8"	78	Mid	Understory	VT	Bare Root
American Hornbeam	Seedling	8"	78	Mid	Understory	VT	Bare Root
Florida Yellow Back/Viburnum	18"-24"	6"	39	Mid	Understory/shrub	T	Container
Florida Yellow Back/Gum	18"-24"	6"	39	Mid	Understory/shrub	T	Container
ZONE 5 (.78 Acres)							
Florida Yellow Back/Cherry	1 1/2"	11'	18	Pioneer	Canopy	VT	Container
Florida Yellow Back/Gum	1 1/2"	11'	18	Pioneer	Canopy	T-VT	Container
Florida Yellow Back/Gum	Seedling	8"	128	Mid	Understory	VT	Bare Root
Florida Yellow Back/Gum	18"-24"	6"	33	Pioneer	Understory/shrub	T	Container

• Distribution of plant massings will be determined by Landscape Architect. • Plant patterns will be avoided

Goals and Objectives

Development of The Preserve as permitted under current zoning and development guidelines will require removal of 1.67 acres of forest. The property contains 14 isolated trees that measure greater than 30 inches dbh. Eight of these trees will be preserved.

There are no high-quality forest resources on The Preserve. Forests to be retained will function as buffers between properties. Areas where extensive invasive and exotic understory growth is repressing native successional processes will be selectively thinned and replanted.

There are 3.43 acres of reforestation required on The Preserve. Reforestation will occur primarily in floodplain areas and adjacent to stormwater management. Additional reforestation will occur to establish or enhance wooded buffer strips between properties.

Forest Retention

No grading, excavation, utility placement, sediment and erosion control activities or vehicle traffic will occur within forest retention areas.

Tree retention areas will be delineated with fencing (see Tree Protection Fence Detail) prior to the beginning of any construction activity. Fencing shall not be considered as installed correctly until reviewed by a landscape architect or qualified natural resource professional familiar with the plan. Tree protection fencing will be placed 6 inches outside any root pruning.

After boundaries have been fenced and before construction begins, a pre-construction meeting shall occur. The principle contractors, engineer and a qualified professional familiar with the plan shall be present. All items pertaining to forest retention and tree preservation shall be discussed.

Any changes to the plan due to on-site conditions must be approved by Baltimore County.

Specimen Tree Protection

All specimen trees to be retained will be examined for suitability of preservation by an expert in tree preservation. A program of root growth stimulation, root pruning, sanitation pruning, drainage maintenance and protective fencing will be detailed in the final forest conservation plan.

Reforestation

The Preserve is located in the historic range of the oak-hickory forest type. Soils on the Preserve have as preferred species, upland oaks, black walnut and yellow poplar (Soil Survey of Baltimore County, 1976). Post development site conditions and objectives require establishment of five re-vegetation zones.

Zone:

This area is within a 100-year floodplain and may be expected to support plant species typical of riparian areas.

Zone:

This area will contain exposed and compacted soils associated with the embankment of a stormwater pond. A large number of aggressive pioneer species will be used in this area to provide adequate conditions for the establishment of oak and hickories.

Zone:

This area will function as a buffer strip between units and an extension of existing forested areas. Evergreens will be used to enhance screening and a mix of typical hedgerow species will be used.

Zone:

This zone is located immediately underneath specimen trees. Plantings will attempt to establish a native understory and encourage natural regeneration.

Zone 1

(See Forest Enhancement Area)

Zones 1-3 are located in areas to be graded. After these areas have been graded, soil tests will be conducted. Based on these results, the amount of organic matter required to produce a proper subsoil will be determined. Soil will be ripped to a depth of 12 inches and imported organic matter will be incorporated.

Leguminous groundcover will be established as specified in the sediment and erosion control plans in all reforestation areas.

Zones 4-5 are located on original soil adjacent to existing woodlands. No soil preparation is recommended.

All reforestation areas will be marked with permanent signs explaining the benefits and restriction of the reforestation area as outlined in covenants and easements.

Penalty for Violation

Any construction activity within forest retention areas not technically permitted within the Forest Conservation Plan will result in a fine of \$100 per square foot assessed to the contractor at the time of observation by the developer, resource professional or county reviewer.

Forest Enhancement Areas

All *Rosa multiflora*, *Lonicera japonica*, *Pieraria lobata* and other invasive or exotic species shall be removed. Vines and herbaceous species will be removed by mechanical means immediately following emergence in the spring. All shoots and new growth will be repressed with spot treatments of herbicides on a semi-annual basis as part of a 3 year forest maintenance program.

Small trees and woody material will be removed with a weed wrench whenever feasible. Larger specimens shall be cut 6 inches above the ground and be immediately sprayed with a systemic herbicide by a qualified expert.

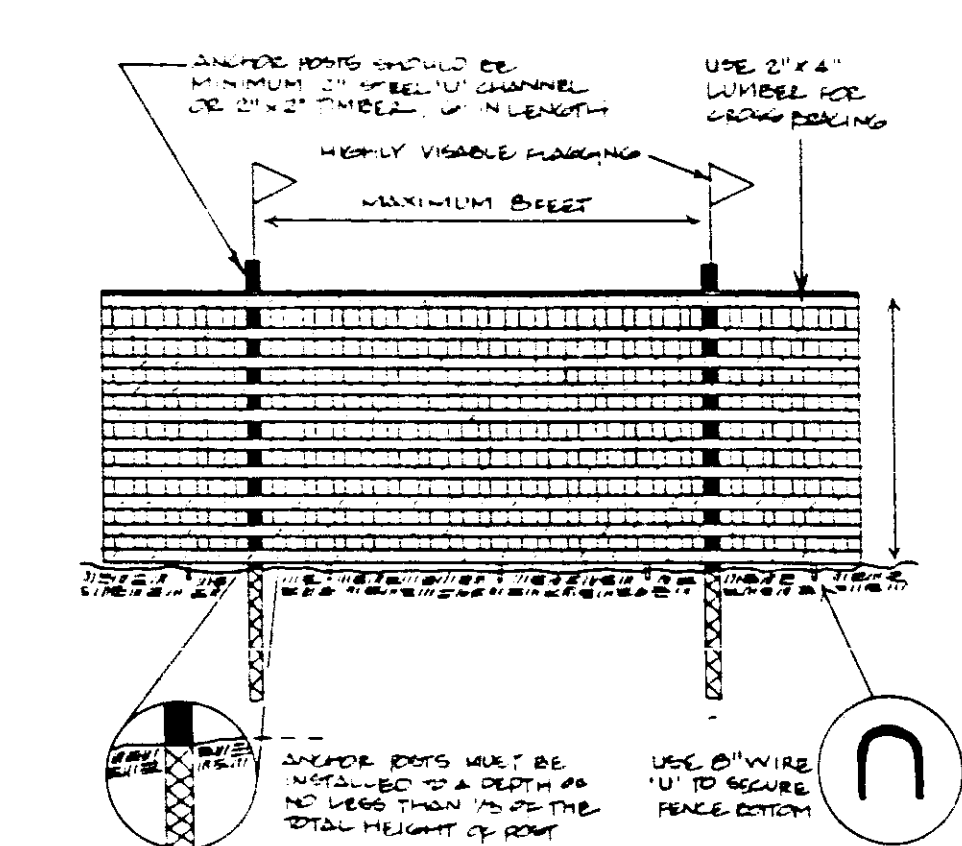
Supplemental plantings will occur as outlined in planting details.

Maintenance

All plant material will be guaranteed by the contractor for 1 year. Watering will occur as necessary to insure specimen survival. No herbicides or pesticides are permitted to be used in reforestation areas.

The contractor will perform bimonthly inspection during the growing season and remove any invasive vines or shrubs which impede the growth of plants used in reforestation.

Figure J-4 **Blaze Orange Plastic Mesh**



- | Notes | |
|-------|---|
| 1 | Forest protection device only |
| 2 | Retention Area will be set as part of the review process. |
| 3 | Boundaries of Retention Area should be staked and flagged, prior to installing device |
| 4 | Root damage should be avoided. |
| 5 | Protective signage may also be used. |
| 6 | Device should be maintained throughout construction. |

Source: Prince George's County, Maryland, Woodland Conservation Manual

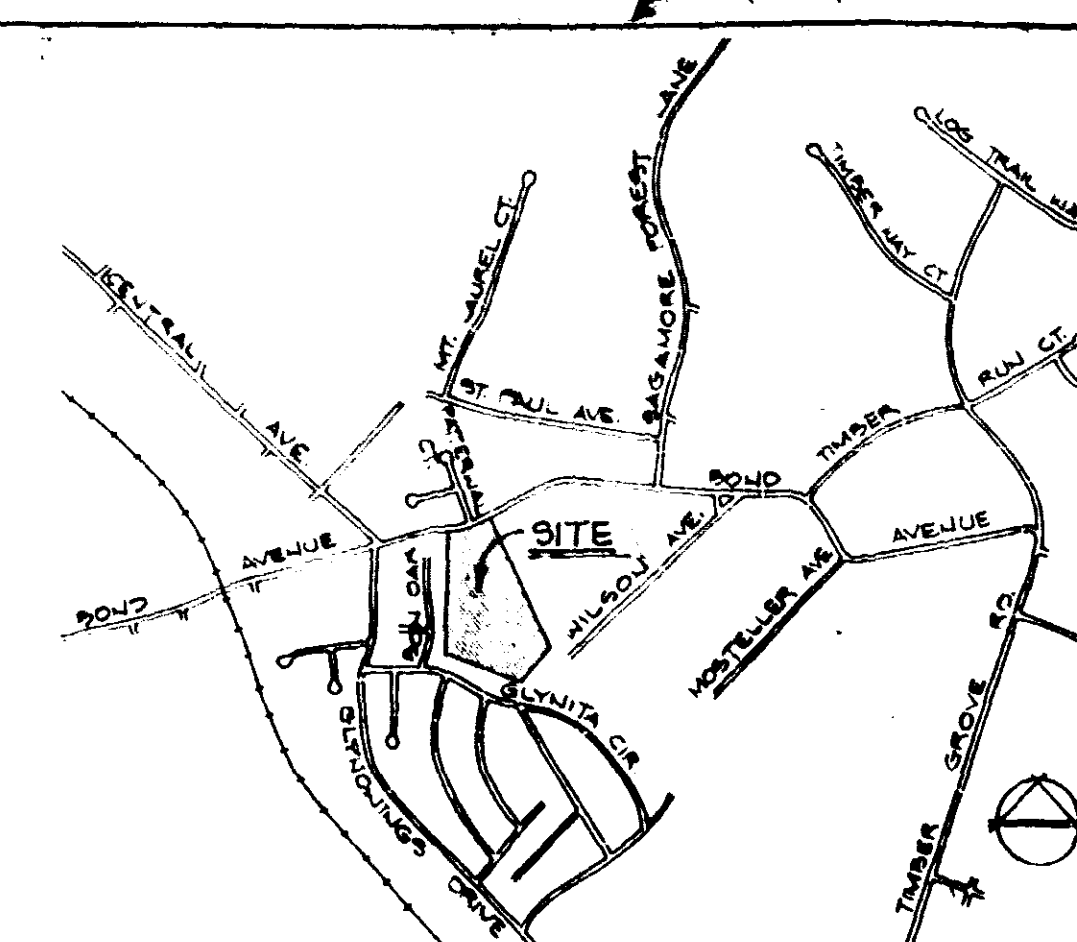
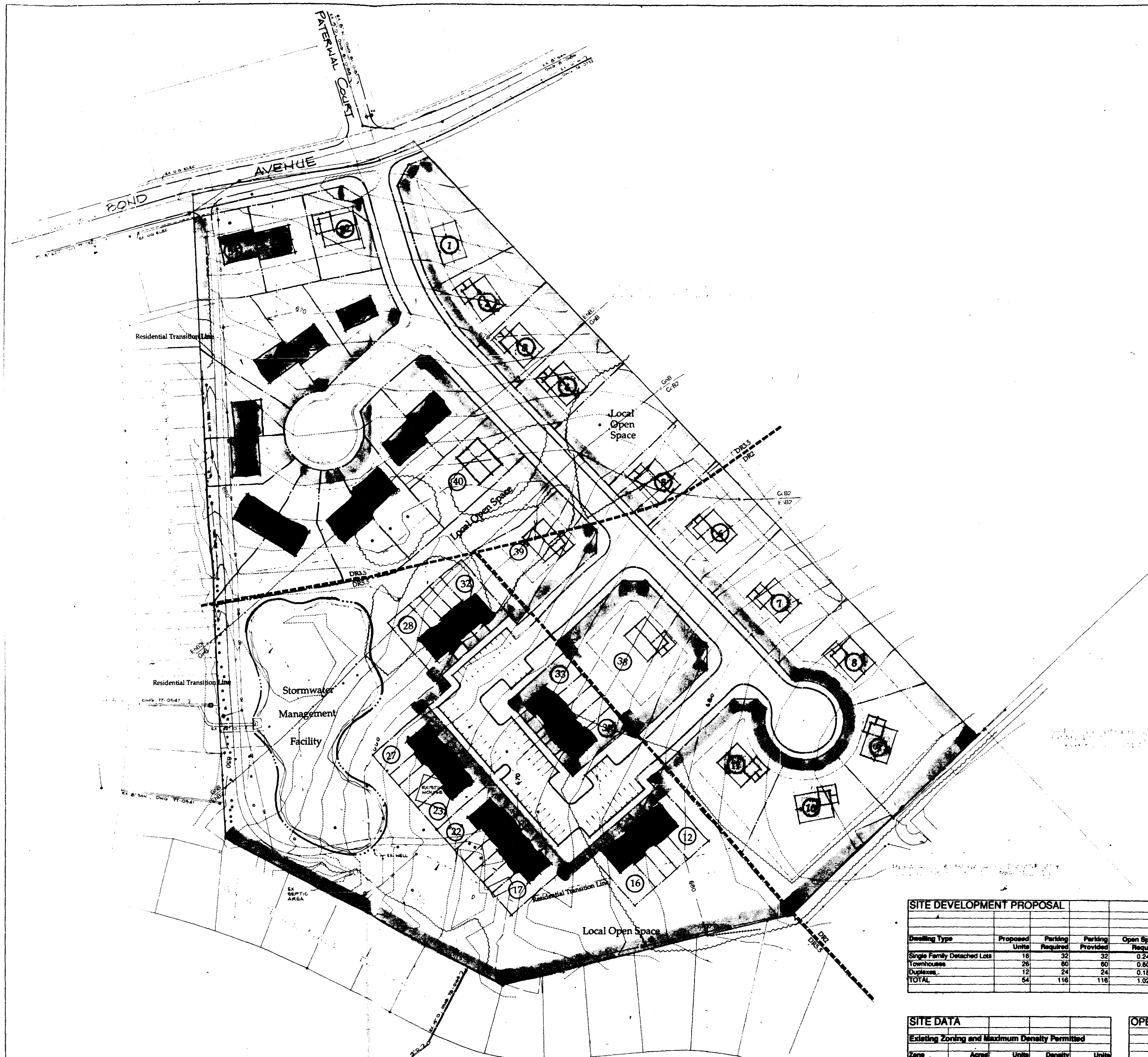
PETITITIONER'S
J. L. 23

DMV
Def. • McCune • Walker, Inc.

FINAL LANDSCAPE PLAN/
PRELIMINARY FOREST CONSERVATION PLAN

The Preserve
4th Election District, Baltimore County, MD

DATE	BY	REMARKS
12/27/72	WSP	REVISED PLANT LIST & NOTES



VICINITY MAP SCALE: 1" = 1000'

PETITIONER'S EXHIBIT 102

SITE DEVELOPMENT PROPOSAL							
Dwelling Type	Proposed Units	Parking Required	Parking Provided	Open Space Required	Open Space Proposed	Phase	Development Schedule
Single Family Detached Lots	18	32	32	0.24 ac.		1	1 Year
Townhouses	26	50	50	0.50 ac.		1	1 Year
Duplexes	12	24	24	0.18 ac.		1	1 Year
TOTAL	54	116	116	1.02 ac.	5.41 ac.		

SITE DATA				
Existing Zoning and Maximum Density Permitted				
Zone	Acres	Units Allowed	Density Units	Proposed Units
DR2	4.37	8.74		8
DR3S	5.86	20.82		20
DRSC	4.83	28.57		26
TOTAL	15.06	58.13		54

OPEN SPACE PROPOSAL	
Open Space Type	Acres
Stormwater Management	0.92
Free play, Trails & Natural areas	4.49
TOTAL	5.41

DMW
Daft · McCune · Walker, Inc.
A Team of Land Planners, Engineers, Architects, Environmental Professionals & Surveyors
200 East Pennsylvania Avenue
Towson, Maryland 21206
410.296.3333
Fax 410.296.4705

AMENDED
Concept Plan
Alternative Development Scheme
The Preserve
4th Election District, Baltimore County, MD

ISSUE DATES	
REVIEW	11.24.12
PERMIT	
CONSTRUCTION	
BASE	2.05
DRAWN	R.E.M.
DESIGNED	R.E.M.
CHECKED BY	
DATE CHECKED	
SCALE	1" = 50'
PROJECT NO.	92055
DRAWING	

policy would require the developer to make the connection; if not, the developer will not be so required.

Resolution of this issue is assisted by the topographical maps which were introduced at the hearing. They show an existing ridge line on the extreme southeast corner of the subject property. Mr. Logan acknowledged the existence of this line and conceded that the Wilson Avenue properties were not upstream by definition. Indeed, their elevation is lower than the subject property at that point. However, Mr. Logan testified that it was his department's policy to apply their policy when the grade was not significantly different and to "buck" the ridge line if there was not a severe slope differential. In this case, he believes the extension should be provided to the Wilson Avenue properties, in that the ridge line does not create a severe slope.

Mr. Haile, on behalf of the Petitioner, strenuously argued against this interpretation of the County policy. He indicated that the depth of the proposed sewer line to accommodate necessary service to the Wilson Avenue properties may be greater than anticipated. He believes that the expense to construct the sewer line may be greater than contemplated. He favors a strict reading of the County's policy. In his view, since the neighboring properties are not upstream, the developer of the subject site should not be required to make the connection. His client's providing of the easement is all that should be necessary. He believes that if an extension is necessary, either those receiving the benefits of the extension or Baltimore County should pay for same.

Clearly, it would be most beneficial if the line were extended at the time of construction on the subject property. As I have stated in prior development plan opinions, I place great weight upon the expertise of the

- 9 -

technical review ers in the Department of Public Works and other County agencies. I will not substitute my judgment for their expertise in technical matters, but for extreme cases. However, the issue presented in this case relates not to a technical issue and whether a policy should be followed because of certain engineering considerations. Rather, the question presented is simple. Does the County's policy require the developer to extend the sewer as requested by the Department of Public Works? More succinctly stated, who should bear the cost for this system which all believe should be installed? In considering the issue, a simple reading of the policy is all that is necessary. The wording of the policy requires a developer to extend a sewer to upstream properties. In that water flows downhill, upstream properties are clearly which have a higher topography than the property being developed. Thus, the topographical maps resolve this issue. The Ramsburg property and other Wilson Avenue properties are not upstream from the subject site. As such, the County policy does not require the developer to extend the sewer. In other instances, other developers may have complied with DPW's request that a ridge line be "bucked" and that the policy be enlarged to include those properties not technically upstream. However, the developer in this case has chosen to contest the department's application of their policy in this instance. For the reasons set forth above, the developer's position must be upheld based on the policy as currently written. Thus, the County cannot require extension of the sewer and I will not order it. However, in compliance with the County policy, I will require the developer to provide an easement so that the connection can ultimately be made.

Having, therefore, resolved all of the development plan issues, the plan should be approved consistent with the comments herein. An amended

- 10 -

plan incorporating these comments as well as all County comments should be submitted.

Attention is now turned to the variances. As noted above, the number of variances are substantial. However, it is clear that, notwithstanding their number, they are entirely appropriate. That is, as Mr. Gavrellis observed, the variances are necessary to provide the developer with a certain degree of flexibility to complete the proposal in accordance with the objectives and standards of the PUD. That is, the developer has chosen to retain a large area of open space which will, no doubt, benefit not only the proposed dwellings but the surrounding properties. In order to preserve this space, certain variances are needed as they relate to setbacks and similar distance requirements. Development of the PUD in the proposed unique fashion more than justifies the variances.

There was a great amount of testimony regarding the proposed variances on lots 12, 13, 14 and 15. Specifically, residents of the Ramsburg property are concerned over the placement of dwellings on those lots. They fear that development, as proposed, will block their view and create the appearance of a solid wall from their property. However, I conclude these concerns are unfounded. Testimony was that there would be extensive landscaping on the southeast corner of the property to buffer the Ramsburg property. Additionally, the houses on lots 12 and 13 are set back even further then required to provide additional distance buffering. More importantly, a 20 ft. easement will exist between lots 12 and 13 as described above, in connection with the proposed sewer extension. Although exact building envelopes have not been determined, it is clear that the houses on these lots will not be so closely together so as to adversely impact the Ramsburg property.

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An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 206 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty will result if the variances are not granted. It has been established that special circumstances exist that are peculiar to the land, which is the subject of the variances requested, and that the requirements from which the Petitioner seeks relief will unduly restrict the development of this site as a PUD, due to the special conditions unique to this particular parcel. In addition, the variances requested will not cause any injury to the public health, safety and general welfare. Further, granting of the variances will be in strict harmony with the spirit and intent of the B.C.Z.R.

- 12 -

Pursuant to the zoning and development regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property, and public hearing held thereon, I will approve the PUD development plan and variances requested herein consistent with the comments and restrictions contained above and shall so order.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of April, 1993 that the PUD R-1 development plan submitted for the proposed residential subdivision, known as "The Preserve", in accordance with Petitioner's Exhibit No. 1., be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the variances to accompany the PUD R-1 development plan submitted for the proposed residential subdivision, known as "The Preserve", be and are hereby GRANTED, as follows:

A. Section 1801.2.C.1.b of the B.C.Z.R. and C.M.D.P. Residential Standards, 4, 5, and 6 pursuant to Section 504 to permit the garage portion of the front building face on all lots to be within 20 ft. of the street right-of-way line or property line in lieu of the required 25 ft. (lots 1-44);

B. Section 1801.2.C.1.b of the B.C.Z.R. and C.M.D.P. Residential Standards 4 pursuant to Section 504 to permit the following setbacks for lots zoned D.R.2,

1. Side building face to side building face of 20 ft. (10 ft. to side property line) for two-story portions of dwellings in lieu of the required 30 ft. (lots 7-22 and 32-33),

2. Side building face to side building face of 13 ft. where a one-story garage portion of a dwelling about a two-story portion of an

- 13 -

adjacent dwelling (3 ft. and 10 ft. respectively to side property lines) in lieu of the required 30 ft. (lots 7-22 and 32-33),

3. Side building to side building face of 6 ft. where one-story garage portions of a dwelling about a one-story garage portion of an adjacent dwelling (3 ft. to each property line) in lieu of the required 30 ft. (lots 7-22 and 32-33),

4. Side building face of 20 ft. to tract boundary for lot 12 in lieu of the required 25 ft. (lot 12),

C. Section 1801.2.C.1.b of the B.C.Z.R. and C.M.D.P. Residential Standards 5 pursuant to Section 504 to permit the following setbacks for lots zoned D.R.3.5 and 5.5,

1. Side building face to side building face of 13 ft. where garage portions of a dwelling less than 20 ft. in height about an adjacent dwelling more than 20 ft. in height (3 ft. and 10 ft. respectively to side property lines) in lieu of the required 20 ft. (lots 1-6 and 21-47),

2. Side building face to side building face of 6 ft. where garage portions of dwellings less than 20 ft. in height about (3 ft. to each side property line) in lieu of the required 16 ft. (lots 1-6 and 21-44),

3. Side building face to side building face of 13 ft. where garage portions of dwellings less than 20 ft. in height about (minimum 3 ft. to side property line) in lieu of the required 16 ft. (lots 45, 46, and 47),

D. Section 301.1.A of the B.C.Z.R. and C.M.D.P. Residential Standards 4 and 5 pursuant to Section 504 to permit all lots to have an open, un-enclosed projection of 12 ft. from the rear building face (18 ft. to rear lot line) in lieu of the permitted 7.5 foot projection (lots 1-4, 8-14, 17-23, 29-35, 37-39, and 42-47),

- 14 -

E. Section 1801.2.C.1.b of the B.C.Z.R. and C.M.D.P. Residential Standards, 4, 5, and 6 pursuant to Section 504 to permit the front building face to be within 5 ft. of a property line which is not a public street right-of-way in lieu of the required 25 ft. (lots 13, 14, 37, 42 and 43); subject to the condition that in no case shall a garage be placed on lots 13, 14, 37, 42 or 43 in such a manner that would prohibit construction of the driveway perpendicular to the front of the garage a minimum of 18 ft. on the subject lot.

The Petitioner/developer shall prepare and submit to Zoning Administration and Development Management (ZADM), within 10 days from the date of this Order, a development plan which reflects and incorporates the terms, conditions, and restrictions, if any, of this Order.

Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

LES:mmn

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 4/22/93
By Th. H. H. H.

- 15 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 22, 1993

Robert A. Hoffman
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: Project No. 92-288-Z, Case No. IV-443
Development Plan Hearing - The Preserve
Petition for Zoning Variance
Case No. 93-283-A
The Southern Land Company, Inc., Petitioner

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Hearing Officer's Opinion and Development Plan Order/Variance Order has been approved.

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.

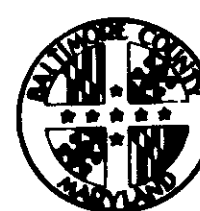
Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
att.

cc: Mr. Ronald O. Schafel, President of The Southern Land Co., Inc.
cc: Mr. George Gavrellis, Daft, McCune and Walker
cc: Ms. Joanne H. Webb, P/R Estate of Harold L. Webb
cc: Mr. James Rawle
cc: Ms. Renata L. Ramsburg, Ms. Renata H. Ramsburg, Mr. W.K. Ramsburg
cc: Ms. Pamela Sargent
cc: Mr. Jerry Katz
cc: All various County agencies

File ✓



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at The Preserve - Bond Avenue at Paternal Court which is presently zoned DR2, DR3.5, DR3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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(s)

See Attached Sheet

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

Strict compliance with standards would be unnecessarily burdensome.

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 of Baltimore County

Contract Purchaser/Lessor

The Southern Land Company, Inc.

(Type or Print Name)

Ronald O. Schafel, Pres.

22 West Allegheny Ave., Ste. 210

Towson, MD 21204

City State Zip

Signature Robert A. Hoffman VP/H

Signature Rob Hoffman/PW

210 Allegheny Ave. 494-6262

Towson MD 21204

City State Zip

Who do you certify and affirm, under the penalties of perjury, that you are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

Harold L. Webb - Deceased

(Type or Print Name)

Signature Joanne H. Webb, Personal Rep.

of the Estate of Harold L. Webb

Signature Joanne H. Webb, Personal Rep.

16129 York Road

Phone No. 21152

City State Zip

Signature Ronald O. Schafel

22 W. Allegheny Ave., Suite 210

Towson, MD 21204 410-827-1160

City State Zip

ESTIMATED LENGTH OF HEARING

Approximate for Hearing

All the following dates

Next Two Months

Reviewed by: DATE 3/15/93



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150

Number

93-283-A

PAID PER HAND-WRITTEN RECEIPT DATED 2/25/93

5-02-93 H9300298

PUBLIC HEARING FEES QTY PRICE

120 ZONING VARIANCE (OTHER) 1 X \$250.00

TOTAL: \$250.00

LAST NAME OF OWNER: WEBB

Please Make Checks Payable To: Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 2/25/93 ACCOUNT R-001-6150
AMOUNT \$250.00
131193
298

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

DATE April 2, 1993 ACCOUNT R-001-6150

AMOUNT \$ 187.13

RECEIVED FROM Preserve

PAID 080; 93-283-A; H/D 4/4/93

FOR: 187.13

ON 03/11/93 BY 187.13

VERIFICATION OF SIGNATURE OF CASHIER

The Preserve PUD-R-1
Requested Modification of Zoning
Standards and Required Variances

A. Section 1801.2.C.1.b BCZR and CMDP Residential Standards, 4, 5, and 6 pursuant to Section 504 to permit the garage portion of the front building face on all lots to be within 20 feet of the street right-of-way line or property line in lieu of the required 25 feet (Lots 1-44).

B. Section 1801.2.C.1.b BCZR and CMDP Residential Standards 4 pursuant to Section 504 to permit the following setbacks for lots zoned DR-2.

1. Side building face to side building face of 20 feet (10 feet to side property line) for two-story portions of dwellings in lieu of the required 30 feet (Lots 7-22 and 32-33).

2. Side building face to side building face of 13 feet where one-story garage portions of a dwelling about a two-story portion of an adjacent dwelling (3 feet and 10 feet respectively to side property lines) in lieu of the required 30 feet (Lots 7-22 and 32-33).

3. Side building face to side building face of 6 feet where one-story garage portions of a dwelling about a one-story garage portion of an adjacent dwelling (3 feet to each property line) in lieu of the required 30 feet (Lots 7-22 and 32-33).

4. Side building face of 20 feet to tract boundary for Lot 12 in lieu of the required 25 feet (Lot 12).

C. Section 1801.2.C.1.b BCZR and CMDP Residential Standards 5 pursuant to Section 504 to permit the following setbacks for lots zoned DR-3.5 and 5.5.

1. Side building face to side building face of 13 feet where garage portions of a dwelling less than 20 feet in height about an adjacent dwelling more than 20 feet in height (3 feet and 10 feet respectively to side property lines) in lieu of the required 20 feet (Lots 1-6 and 21-47).

2. Side building face to side building face of 6 feet where garage portions of dwellings less than 20 feet in height about (3 feet to each side property line) in lieu of the required 16 feet (Lots 1-6 and 21-44).

D. Section 301.1.A BCZR and CMDP Residential Standards 4 and 5 pursuant to Section 504 to permit all lots to have an open, unenclosed projection of 12 feet from the rear building face (18 feet to rear lot line) in lieu of the permitted 7.5 foot projection (Lots 1-4, 8-14, 17-23, 29-35, 37-39, and 42-47).

E. Section 1801.2.C.1.b BCZR and CMDP Residential Standards, 4, 5, and 6 pursuant to Section 504 to permit the front building face to be within 5 feet of a property line which is not a public street right-of-way in lieu of the required 25 feet. (Lots 13, 14, 37, 42 and 43).

93-283-A 298 92-55

Description

to Accompany Petition for Zoning Variance,

15.031 Acre Parcel, Land of Harold L. Webb,

Southeast Side of Bond Avenue near Paternal Court,

Fourth Election District, Baltimore County, Maryland

Beginning for the same at a point located South 43 degrees 30 minutes 25

seconds East 12 feet, more or less, from a point on the centerline of Bond Avenue, said

last mentioned point being at the distance of 56 feet, more or less, as measured

northeasterly along said centerline from its intersection with the centerline of Paternal

Court, 50 feet wide, running from the aforementioned beginning point eight courses:

(1) South 43 degrees 30 minutes 25 seconds East 1030.02 feet, (2) South 46 degrees 02

minutes 06 seconds West 325.25 feet, (3) South 76 degrees 14 minutes 10 seconds West

374.55 feet, (4) North 62 degrees 09 minutes 39 seconds West 396.06 feet, (5) North 02

degrees 58 minutes 23 seconds West 810.15 feet, (6) North 79 degrees 31 minutes 37

seconds East 198.00 feet, (7) North 72 degrees 01 minute 37 seconds East 66.00 feet,

and (8) North 63 degrees 46 minutes 37 seconds East 26.25 feet to the point of

beginning containing 15.031 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY

AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

October 26, 1992

Project No. 92055 (L92055)



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: 3/2/93

Posted for: Variance

Petitioner: The Southern Land Co., Inc.

Location of property: 43 Bond Ave., near Paternal Ct.

Location of Sign: 43 Bond Ave., near Paternal Ct.

Remarks:

Posted by: [Signature] Date of return: 3/15/93

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/11/93

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 3/11/93

THE JEFFERSONIAN,

S. Zate Olson
Publisher

\$187.13

111 West Chesapeake Avenue
Towson, MD 21204

MAR 05 1993

(410) 887-3353

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-283-A (Item 298)

S/S Bond Avenue, opposite Paternal Court - "The Preserve"

4th Election District - 3rd Councilmanic

Legal Owner(s): Joanne H. Webb, P. R. Estate Harold L. Webb

Contract Purchaser(s): The Southern Land Company, Inc.

HEARING: WEDNESDAY, APRIL 14, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Variance to permit the garage portion of the front bldg. to face all lots to be within 20 ft. of the

street right-of-way line or property line in lieu of the required 25 ft. (Lots 1-44); to permit side

bldg. face to side bldg. face of 20 ft. (10 ft. to side of property line) for two-story portions of

dwellings in lieu of the required 30 ft. (Lots 7-22 & 32-33); to permit side bldg. face to side bldg.

face of 13 ft. where one-story garage portions of a dwelling about a two-story portion of an adjacent

dwelling (3 ft. & 10 ft. respectively to side property lines) in lieu of the required 30 ft. (Lots 7-22 &

32-33); to permit side bldg. face to side bldg. face of 6 ft. where one-story garage portions of a

dwelling about a one-story garage of an adjacent dwelling (3 ft. to each property line) in lieu of the

required 30 ft. (Lots 7-22 & 32-33); to permit side bldg. face of 20 ft. to tract boundary for Lot #12 in

lieu of the required 25 ft.; to permit side bldg. face to side bldg. face of 13 ft. where garage portions

of a dwelling less than 20 ft. in height about an adjacent dwelling more than 20 ft. in height (3 ft. & 10

ft. respectively to side property lines) in lieu of the required 20 ft. (Lots 1-6 & 21-47); to permit

side bldg. face to side bldg. face of 6 ft. where garage portions of dwellings less than 20 ft. in height

about (3 ft. to each side property line) in lieu of the required 16 ft. (Lots 1-6 & 21-44); to permit all

lots to have an open, unenclosed projection of 12 ft. from the rear bldg. face (18 ft. to rear lot line)

in lieu of the permitted 7.5 foot projection (Lots 1-4, 8-14, 17-23, 29-35, 37-39, & 42-47); & to permit

the front bldg. face to be within 5 ft. of a property line which is not a public street right-of-way in

lieu of the required 25 ft. (Lots 13, 14, 37, 42 & 43).

NOTES: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Printed on Recycled Paper

111 West Chesapeake Avenue
Towson, MD 21204

March 31, 1993

Robert A. Hoffman, Esquire
210 Allegheny Avenue
Towson, MD 21204

RE: Case No. 93-283-A, Item No. 298
Petitioner: Joanne H. Webb, Personal
Representative of the Estate
of Harold L. Webb, et al
Petition for Variance

Dear Mr. Hoffman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 February 25, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Printed on Recycled Paper