

IN RE: PETITION FOR SPECIAL HEARING
W/E Harford Road, 220' N of
the c/l of Jomat Avenue
(9708 Harford Road)
9th Election District
6th Councilmanic District
Northgate Associates
Petitioner

• BEFORE THE
• ZONING COMMISSIONER
• OF BALTIMORE COUNTY
• Case No. 94-285-SBH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the subject property, known as 9708 Harford Road, located in the Parkville area of northeastern Baltimore County. The Petition was filed by the owner of the property, Northgate Associates, by Sanford Slavin, Partner, and the Contract Purchaser, ADJ Enterprises, Inc., 1/4 Hallmark Homes, by Andrew P. Johns, President. The Petitioners seek approval of an amendment to the Final Development Plan of Forestview to permit the subdivision of Parcel "B" thereof into two (2) lots for the construction of two semi-detached dwelling units thereon, pursuant to Section 1801.3.A.7.b of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Andrew Johns, President of ADJ Enterprises, Inc., Contract Purchaser, and Ronald M. Kearney, Professional Engineer. Also appearing in support of the Petition was Joan Marr, a real estate agent with O'Connor, Piper & Flynn. Appearing as a Proponent in the matter was D. L. Mowrey on behalf of the Forestview Homeowners' Association, which was represented by Roger Sullivan, Esquire.

Testimony and evidence presented revealed that the subject property consists of a gross area of 1.05 acres, more or less, split zoned D.R. 16 and D.R. 5.5, and is presently unimproved. Said property includes the

bed of Aspen Hill Road, a private roadway which connects the Forestview subdivision to Harford Road. The net acreage available for the proposed development is approximately six-tenths of one acre. The subject property is part of a larger tract, which is comprised of Parcels A and B, and contains a gross area of approximately 12 acres. The entire tract is predominantly zoned D.R. 16, with a small area of D.R. 5.5 zoned land. Parcel A, which is to the rear of the tract away from Harford Road, is already developed as a residential community known as Forestview. As noted above, access to this community is by way of the private road known as Aspen Hill Road. This road extends along the southern portion of the overall tract and intersects Harford Road. Parcel B is a smaller section located towards the front of the tract immediately adjacent to Harford Road. As shown on the plan, the Petitioners propose to construct two duplex dwelling units on the property. In fact, a deed was presented as evidence of the acquisition of Parcel B by the Petitioner, but for that portion of same which constitutes the road bed of Aspen Road.

In support of the Petition, testimony was presented by Mr. Kearney and Mr. Marr. They indicated that development of Parcel B would be consistent with the development and use of Parcel A. They also noted that the entire tract, including Parcels A and B, has sufficient density to support the proposed development. That is, the site has not been overdeveloped from a density standpoint. Moreover, Mr. Marr testified that development of Parcel B would actually increase the value of homes in the Forestview community. It is anticipated that the proposed duplex units will sell for approximately \$115,000. In the Petitioners' view, development on this site will aesthetically improve Parcel B and be an asset to the surrounding neighborhood.

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Mr. Mowrey appeared and testified in opposition on behalf of the Homeowners' Association. Mr. Mowrey testified that his Association does not object to development on Parcel B, per se; however, the Association, in fact, owns the roadbed of Aspen Hill Road and has refused access to that road by the owners of Parcel B. Thus, a lengthy driveway directly from Harford Road to the two duplex units is proposed.

This denial of access, which is no doubt the community Association's prerogative, places the developer in a difficult situation. Specifically, several Zoning Plans Advisory Committee (ZAC) comments were received regarding access to these houses from Harford Road. One comment from the Office of Planning and Zoning recommended a denial of the Petition based on this issue. Specifically, that Office believes that there is a significant sight distance problem and that future access points on the road will only serve to exacerbate the existing traffic safety issue. An important comment was received from the State Highway Administration (SHA) indicating that they also oppose the Petition. They noted that Harford Road is a State road and that, in keeping with SHA's policy of limiting access onto State highways, there should be no direct access from the subject property onto Harford Road. Moreover, the comment suggests that all access to the property should be from Aspen Hill Road.

The Petitioners indicated that they had discussed this difficulty with Jeffrey Long of the Office of Planning and Zoning; however, there is no amended comment in the file and Mr. Long was not present at the hearing. Moreover, the Petitioners apparently have not discussed the SHA issue with personnel from that agency.

In considering the issues presented, I must adjudge the Petitioner's request and can approve same only if said approval will insure that

- 3 -

the health, safety or general welfare of the locale is not compromised. In this instance, I am not persuaded that the Petitioners have met the burden. Although development on the site, per se, seems appropriate, the traffic/access issue must be resolved. There is no doubt that Harford Road is one of the more heavily travelled roadways in Baltimore County and that traffic congestion is problematic. Access from the proposed development onto Aspen Hill Road would be considerably more appropriate and logical, however, cannot be mandated since same is a private road. Without a resolution of this issue, I cannot approve the special hearing relief sought. Therefore, same must and will be denied.

Pursuant to the advertising, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested within the Petition for Special Hearing shall be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of March, 1994 that the Petition for Special Hearing seeking approval of an amendment to the Final Development Plan for Forestview to permit the subdivision of Parcel "B" into two (2) lots for the construction of two semi-detached dwelling units thereon, pursuant to Section 1801.3.A.7.b of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

James E. Schmitt
JAMES E. SCHMITT
Zoning Commissioner
for Baltimore County

LES:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Coun.house
400 Washington Avenue
Towson, MD 21204

March 7, 1994

(410) 887-4386

Mr. Sanford Slavin
Slavin Associates
200-A Monroe Street, Suite 105
Rockville, Maryland 20850

RE: PETITION FOR SPECIAL HEARING
W/E Harford Road, 220' N of the c/l of Jomat Avenue
(9708 Harford Road)
9th Election District - 6th Councilmanic District
Northgate Associates - Petitioner
Case No. 94-285-SBH

Dear Mr. Slavin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been denied, 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 the Zoning Administration and Development Management Office at 887-3391.

Very truly yours,

James E. Schmitt
JAMES E. SCHMITT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Andrew P. Johns, President
ADJ Enterprises, Inc. 1/4 Hallmark Homes
2239 Old Emorton Road, Bel Air, Md. 21015

Roger Sullivan, Esquire
Conway & Roeder, 614 Bayley Avenue, Towson, Md. 21204
Mr. D.L. Mowrey, 2910 Aspen Hill Road, Baltimore, Md. 21234
People's Counsel: *Y/L*

IN RE: PETITION FOR SPECIAL HEARING
W/E Harford Road, 220' N of
the c/l of Jomat Avenue
(9708 Harford Road)
9th Election District
6th Councilmanic District
Northgate Associates
Petitioner

• BEFORE THE
• ZONING COMMISSIONER
• OF BALTIMORE COUNTY
• Case No. 94-285-SBH

AMENDED FINDINGS OF FACT AND CONCLUSIONS OF LAW

The above captioned matter originally came before the Zoning Commissioner as a Petition for Special Hearing for the subject property known as 9708 Harford Road in the Parkville area of northeastern Baltimore County; and,

WHEREAS, by my Findings of Fact and Conclusions of Law dated March 7, 1994, this Zoning Commissioner denied the Petition for Special Hearing filed by Northgate Associates, Inc., Petitioner, which requested that an amendment to the Final Development Plan of Forestview be approved to permit the subdivision of Parcel "B" thereof into two lots for construction of two semi-detached dwelling units thereon, pursuant to Section 1801.3.A.7.b of the Baltimore County Zoning Regulations (B.C.Z.R.); and,

WHEREAS, that Petition was denied because vehicular access to the proposed parcel "B" was determined to be problematic to wit; that the Petitioner could not obtain vehicular access to the subject Parcel "B" from Aspen Hill Road (a private road), and the State Highway Administration and Office of Planning and Zoning recommended that direct vehicular access from Harford Road should be prohibited; and,

WHEREAS, the Petitioner has filed a Motion for Reconsideration in the within case and attached thereto a revised site plan and revised comments from the State Highway Administration and the Office of Planning; and,

WHEREAS, the revised site plan indicates that vehicular access to the subject Parcel "B" will be provided from Harford Road and the amended comment from the Office of Planning and Zoning indicates that that agency has revised its comment and "... has declined not to oppose the requested special hearing based upon a letter dated March 24, 1994 from the State Highway Administration ...". Further, that the State Highway Administration's letter of March 24, 1994 indicates that agency has, likewise, revised its position and found that Aspen Hill Road is a private road and that the sight distance at the proposed intersection is acceptable so that the agency "... can approve your (the Petitioner's) request to allow access to the property from Md. 147"; and

WHEREAS, this office has received a letter from Roger J. Sullivan, Esquire, on behalf of the Forestview Homeowners' Association indicating that the Association does not object to the granting of the Petitioner's requested relief provided that the new Order incorporates the amended site plan and provides ingress and egress to the subject Parcel "B" by way of Harford Road only; and,

WHEREAS, based upon the Motion for Reconsideration, the amended site plan and revised comments described above, as well as the position taken by the Forestview Homeowners' Association, I am persuaded that the amended relief requested within the special hearing is appropriate and should be granted.

NOW, THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of April, 1994 that the Petition for Special Hearing be and is hereby GRANTED, pursuant to the amended comments and site plan submitted herein; and,

- 2 -

IT IS FURTHER ORDERED that all vehicular access to and from the subject property known as Parcel "B" shall be by way of Harford Road only and that no vehicular access to the subject property shall be allowed from Aspen Hill Road; and,

IT IS FURTHER ORDERED that the remainder of the Zoning Commissioner's opinion and Order issued on March 7, 1994, be and is hereby ratified and incorporated, except as specifically amended herein.

Any appeal from this decision must be taken in accordance with the applicable provisions of law.

James E. Schmitt
JAMES E. SCHMITT
Zoning Commissioner
for Baltimore County

LES:smm

ORDER RECEIVED FOR FILING
Date *4/14/94*
By *Shmitt*

ORDER RECEIVED FOR FILING
Date *4/14/94*
By *Shmitt*

ORDER RECEIVED FOR FILING
Date *4/14/94*
By *Shmitt*

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 on

Room 106, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-285-874 (Item 285)
1000 Hartford Road
400 Hartford Road, 200' S of c/c Janet Avenue
1/4 Election District - 4th Councilmanic
Legal Owner(s): Northgate Associates
Contract Purchase(s): MJ Enterprises, Inc., 1/4 Half Acre
Contract Purchase(s): MJ Enterprises, Inc., 1/4 Half Acre
HEARING: FEBRUARY 24, 1994 at 10:00 a.m. in Room 106, Old Courthouse.

Special Hearing to approve an amendment of the final development plan of Forest View that was approved 11/4/75, by subdividing Parcel "B" into 2 lots.

CLERK OF THE COURT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE UNANNOUNCED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
(2) FOR INFORMATION CONCERNING THE FILE NUMBER HEARING, PLEASE CALL 867-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204
FEBRUARY 3, 1994
(410) 867-3353
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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 on
Room 106, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
CASE NUMBER: 94-285-874 (Item 285)
1000 Hartford Road
400 Hartford Road, 200' S of c/c Janet Avenue
1/4 Election District - 4th Councilmanic
Legal Owner(s): Northgate Associates
Contract Purchase(s): MJ Enterprises, Inc., 1/4 Half Acre
Contract Purchase(s): MJ Enterprises, Inc., 1/4 Half Acre
HEARING: FEBRUARY 24, 1994 at 10:00 a.m. in Room 106, Old Courthouse.
Special Hearing to approve an amendment of the final development plan of Forest View that was approved 11/4/75, by subdividing Parcel "B" into 2 lots.
Arnold Jablon
Director
001 Northgate Associates
Arnold M. Jablon
MJ Enterprises, Inc.
NOTES: (1) HEARING IS A PART MUST BE RETURNED TO RM. 106, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE UNANNOUNCED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
(3) FOR INFORMATION CONCERNING THE FILE NUMBER HEARING, CONTACT THIS OFFICE AT 867-3353.



Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204
February 16, 1994
(410) 867-3353
Sanford Slavin
Slavin Associates, Suite 105
200-A Monroe Street
Rockville, Maryland 20850
RE: Case No. 94-285-874, Item No. 285
Petitioner: Northgate Associates, et al.
Petition for Special Hearing
Dear Mr. Slavin:
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 January 25, 1994, 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.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management
FROM: Robert M. Bowlin, Chief
Development Engineering Section
RE: Zoning Advisory Committee Hearing
for February 14, 1994
Item No. 285

The Development Engineering Section has reviewed the subject zoning item. This site is subject to State Highway Administration requirements for the entrance fronting on Hartford Road. In addition, the site is subject to the Baltimore County minor subdivision development regulations. Parcel "B" shall be subject to the Landscaping Ordinance.

DMB:m

Baltimore County Government
Fire Department
700 East Joppa Rd. of Suite 901
Towson, MD 21206-5500
(410) 867-4500
DATE: 02/03/94
Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105
RE: Property Owner: SEE BELOW
LOCATION: SEE BELOW
Item No.: SEE BELOW
Zoning Agenda:
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.
7. The Fire Prevention Bureau has no comments at this time, FOR THE FOLLOWING "ITEM NUMBER": 285, 289, 291, 292, 293, 294 AND 298.
RECEIVED
FEB 9 1994
ZADM
REVIEWER: LT. ROBERT P. SAUERWALD
Fire Prevention, PHONE 887-6881, MS-1102F
cc: File

SHA Maryland Department of Transportation
State Highway Administration
RECEIVED
FEB 25 1994
ZONING COMMISSIONER
February 23, 1994
Re: Baltimore County
Item No.: 285 (MJK)
MD 147
Northgate Enterprises
Forest View
9708 Hartford Road
Special Hearing Request
Mile Post 2.20
Dear Ms. Minton:
This office has reviewed the plan for the referenced item and we offer the following:
We have no objection to approval for the Special Hearing to approve an amendment of the final development plan of Forest View, which was approved on November 4, 1975, by subdividing Parcel "B" into two lots.
A field inspection of the property reveals that it is located on the southwest quadrant of the intersection of MD 147 and Aspen Hill Road. In keeping with the State Highway Administration's policy of limiting access onto State roadways, there should be no direct access onto MD 147. All access to this property should be onto Aspen Hill Road.
If you have any questions, please contact Bob Small at 410-333-1350. Thank you for the opportunity to review this plan.
Very truly yours,
David Ramsey
David Ramsey, Acting Chief
Engineering Access Permits
Division
BS/es

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE
February 24, 1994
TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
FROM: J. Lawrence Wilson
Development Coordinator, DEPM
SUBJECT: Zoning Item #285 - Northgate Associates
9708 Hartford Road
Zoning Advisory Committee Meeting of February 7, 1994
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.
Parcel B must comply with the Forest Conservation Regulations as it is a new subdivision on unimproved land.
JLP:GS:sp
NORTHGAT/DEPM/TXTSP

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
DATE: February 14, 1994
SUBJECT: 9708 Hartford Road
Item Number: 285
Petitioner: Northgate Associates
Property Size: _____
Zoning: D.B. S.5 and D.B. 16
Requested Action: _____
Hearing Date: _____
SUMMARY OF RECOMMENDATIONS:
The vertical alignment of Hartford Road poses a sight distance problem and future access points along this road will only serve to exacerbate the existing traffic safety issue; therefore, staff recommends that the applicant's request be denied unless access to Aspen Hill Road can be provided.
Prepared by: Jeffrey M. Long
Division Chief: Cary L. Pears
PK/LJL

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Ashkin, Director
Zoning Administration &
Development Management

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

DATE: March 29, 1994

SUBJECT: 9708 Harford Road

INFORMATION:

Item Number: 289
Petitioner: Northgate Associates
Property Size:
Zoning: D-1, C-1 and D-1A, 1b
Requested Action:
Hearing Date:

SUMMARY OF RECOMMENDATIONS:

AMENDED COMMENT

The Office of Planning and Zoning has decided not to oppose the requested Special Hearing based upon a letter dated March 24, 1994 from the State Highway Administration, which indicates that exact distance at the subject location is acceptable. However, other issues regarding compatibility, landscape treatment, and parking, etc., will be addressed as part of the minor subdivision review process.

Prepared by: *Pat Kellier*
Division Chief: *Pat Kellier*
File No.:

2/20/94 8/1/94/2/2/94

Pg. 1

Maryland Department of Transportation
State Highway Administration

Q. James Lightizer
Secretary
Highway Administration

March 24, 1994

Mr. Ronald M. Kearney, Prop. L.S.
K.L.S. Consultants, Incorporated
Engineers and Surveyors
102 N. Main Street
Bel Air, Maryland 21014

RE: Baltimore County
MD 147
Northgate Enterprises
Forest View
9708 Harford Road
Access request
Mile Post 2.20

Dear Mr. Kearney:

This letter is in response to your March 22nd fax, requesting a waiver from our February 22nd comments to Baltimore County's Zoning Advisory Committee, for the Special Hearing to approve an amendment of the final development plan for Forest View, which is located at the intersection of MD 147 and Aspen Hill Road.

As you are aware, we indicated in our February 22nd letter to Mr. Charlotte Minton of Baltimore County's Zoning office, that although we had no objection to approval of the special hearing request, in keeping with State Highway Administration (SHA) policy of limiting access onto State roadways, there should be no direct access onto MD 147, all access to this property should be onto Aspen Hill Road.

Since we were not aware at the time of our initial review that Aspen Hill Road is in a private road is in fact a private road, owned by the Forestview Homeowners Association, and that sight distance at this location is acceptable, we can approve your request to allow access to the property from MD 147.

Since there are only 2 lots on the referenced property, you need to contact Mr. Gary Ewers, Resident Maintenance Engineer for SHA in this area, in order to obtain the required access permit necessary for the entrance construction. Mr. Ewers can be reached at 410-574-4511.

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2058 Statewide Toll Free
Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717
Street Address: 707 North Carroll Street - Baltimore, Maryland 21202

COVAHEY & BOOZER, P.A.

ATTORNEYS AT LAW
816 BOULEVARD AVENUE
TOWSON, MARYLAND 21204
AREA CODE 410
828-0441
FAX 410-823-7830

ANNEX OFFICE
SUITE 200
808 BALTIMORE AVE
TOWSON, MD 21204

April 11, 1994

EDWARD C. COVAHEY, JR.
P. VAUGHN BOOZER
MARK S. DEVAN
ANTHONY J. BARNICK
THOMAS P. BOER
MICHAEL J. TULLOCH
*ALSO ADMITTED TO D.C. BAR

Lawrence E. Schmidt, Zoning Commissioner
Baltimore County - Suite 113
Courthouse, 400 Washington Avenue
Towson, Maryland 21204

RE: 9708 Harford Road
Case No. 94-285-SPH
Motion for Reconsideration

Dear Mr. Schmidt:

I am writing you to follow up on our recent telephone conversations with respect to the above-captioned. I have contacted the Forestview Homeowner's Association who was the only protestant at the hearing and advised them of the Motion for Reconsideration which had been filed by the Petitioner. The Homeowner's Association is not opposed to the granting of the Petitioner's requested relief provided that the new Order incorporates the amended plan which shows ingress and egress to the subject site by way of Harford Road only, and not by way of Aspen Hill Road. It is my understanding from my conversations with you that any such Order signed by you would be to that effect.

I would appreciate your office providing me with a copy of any such Order as well as a copy of the Motion for Reconsideration which my office did not receive.

Many thanks for your continuing courtesies in this case. If you have any questions, please do not hesitate to contact my office.

Very truly yours,

Robert Sullivan
Robert Sullivan

RJS/11'ok.02
cc: A.P.O. Enterprises, Inc.
Andrew P. Johns, President
2239 Old Emmorton Road
Bel Air, Maryland 21015

Mr. Ronald M. Kearney
Page Two
March 24, 1994

If you have any questions, please contact Bob Small of this office at 410-333-1350. Thank you for your cooperation in this matter.

Very truly yours,

David Ramsey

David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/es

cc: Mr. Gary Ewers
Mr. Charlotte Minton

K.L.S. CONSULTANTS, INC.

ENGINEERS AND SURVEYORS
100 NORTH CARROLL STREET, SUITE 200, BALTIMORE, MARYLAND 21204

JAMES E. LEONARD, P.E., RONALD M. KEARNEY, PH.D., L.S., JAMES A. GILLEY, PH.D., L.S.

March 29, 1994

Lawrence E. Schmidt,
Zoning Commissioner
Suite 113 Courthouse
400 Washington Ave.
Towson, MD 21204

Re: 9708 Harford Road
Case No. 94-285-SPH

Dear Sir:

I am enclosing copies of letters from the State Highway Administration, Engineering Access Permits Division, and the Office of Planning and Zoning, Baltimore County, containing revised comments for the above referenced property.

I have met with representatives from both of the above mentioned departments and made them aware of certain conditions concerning the property which would make it acceptable for access to Harford Road.

We are requesting that you reconsider your decision of March 7, 1994 and allow the Final Development Plan for Forestview to be amended.

Please do not hesitate to call if you have any questions regarding this matter.

Sincerely,
K.L.S. Consultants, Inc.

Ronald M. Kearney

Ronald M. Kearney
Property L.S. Surveyor

RMB/sj

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

285

(410) 867-3333

January 5, 1994

Mr. Ronald M. Kearney
KLS Consultants, Inc.
102 North Main Street
Bel Air, MD 21014

Subject: Limited Exemption Approval
Forestview, Parcel B
9708 Harford Road
SAC No. 121336, 905

Dear Mr. Kearney:

On December 30, 1993, the Development Review Committee reviewed the plan submitted on the above referenced project and determined it to be a Limited Exemption under Section 26-171(a)(7) of the Baltimore County Development Regulations. This exempts your development from the requirements for a Community Input Hearing (CIH), a Hearings Officer's Hearing (HOH), and the requirement to submit a development plan for review and approval; however, compliance with all county design standards and requirements for private and public improvements are still required, as is compliance with all applicable zoning regulations.

The following requirements are necessary to further process your project:

- A plan review fee in the amount of \$43.00, (fee schedule effective 4/1/92, Baltimore County Code, Section 15-9(c)), must be submitted to:
Zoning Administration and Development Management (ZADM)
County Office Building - Room 123
111 W. Chesapeake Avenue, Towson, MD 21204
- Payment can be either a certified or cashiers check made payable to Baltimore County, MD;
- Any additional engineering plans which may be required by the County:
Please contact the Environmental Impact Review (EIR) of the Department of Environmental Protection and Resource Management (DEPRM), at 807-3900 to determine whether or not these plans will be required; critical areas, storm water management, sediment and erosion control, forest buffer, forest conservation, etc.
Please contact Development Plans Review (DPR) of the Department of Public Works (DPW) at 807-3251 to determine whether or not a landscape plan will be required.

Printed with Register No. 10

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME: *Ronald M. Kearney* 6/4 3/4 AM
ADDRESS: *102 N. Main St. Towson, MD 21204*
PHONE: *410-867-3333*
BEHAVIOR: *274 A. P. O. Box 1133*
ASV: *12/13/93*

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME: *Ronald M. Kearney* 102 N. Main St. Towson, MD 21204
ADDRESS: *102 N. Main St. Towson, MD 21204*
PHONE: *410-867-3333*
BEHAVIOR: *274 A. P. O. Box 1133*
ASV: *12/13/93*

K.L.S. CONSULTANTS, INC.

ENGINEERS AND SURVEYORS
100 NORTH CARROLL STREET, SUITE 200, BALTIMORE, MARYLAND 21204

JAMES E. LEONARD, P.E., RONALD M. KEARNEY, PH.D., L.S., JAMES A. GILLEY, PH.D., L.S.

RONALD M. KEARNEY, PH.D., L.S. 410-867-3333

SECTION ONE
HARFORD VILLAGE
E.H.K. Jr. 36-21

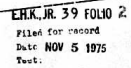


COORDINATES					
#	NORTH	EAST	#	NORTH	EAST
238	36.723.97	26.447.74	1119	36.598.64	26.954.54
239	36.749.62	26.468.87	1120	36.598.43	26.920.78
240	36.775.97	26.490.00	1121	36.598.22	26.909.79
241	36.781.59	26.457.12	1122	36.598.00	26.917.62
242	36.791.74	26.370.70	1123	36.598.86	26.971.77
243	36.916.02	26.459.31	1124	36.01.36	26.938.38
244	36.901.41	26.460.44	1125	36.01.15	26.946.53
245	36.906.62	26.625.19	1126	36.037.85	26.963.86
246	36.761.97	26.203.20	1127	36.628.07	26.904.21
247	36.801.41	26.203.20	1128	36.628.07	26.904.21
248	36.853.34	26.233.53	1129	36.628.07	26.904.21
249	36.707.54	26.91.159	1130	36.030.24	26.961.12
250	36.916.06	26.484.58	1131	36.411.67	26.938.12
251	36.916.06	26.484.58	1132	36.411.67	26.938.12
1029	36.923.16	26.932.50	64	36.240.05	28.770.01
1030	36.916.10	26.925.29	65	36.916.54	28.690.41
1031	36.916.10	26.925.29	66	36.916.54	28.690.41
1032	36.916.10	26.925.29	67	36.916.54	28.690.41
1033	36.904.11	26.911.72	7250	36.591.86	28.700.01
1117	36.854.91	26.792.32			



4. TOTAL ACRES (20,000)		11,559.4
A. PARCEL A		10,534.5
B. PARCEL B		105.0
5. SITE ZONING		
A. PARCEL A		
1. DR 1G		8.87 AC
2. DR 5B		2.37 AC
6. GROSS RESIDENTIAL DENSITY ALLOWED		
A. PARCEL A		
1. DR 1G (8.87/1G)		157.12 DU
2. DR 5B (2.37/5B)		12.93 RW
B. PARCEL B		
1. DR 1G (0.71/1G)		11.56 DU
2. DR 5B (0.24/5B)		0.87 RW
C. TOTAL GROSS RESIDENTIAL DENSITY ALLOWED		
1. 168.48 DENSITY UNITS		TOTAL DENSITY & DWELLING UNITS 163.28 DU
2. 16.80 DWELLING UNITS		
7. NUMBER OF TRUCKS TO BE DISPOSED: 110 UNITS L.S.		
A. 3 BEDROOM & DEN		44 UNITS
B. 2 BEDROOM & DEN		66 UNITS
8. GROSS RESIDENTIAL DENSITY PROPOSED:		
A. 3 BEDROOM & DEN (44 x 1.5)		66 DU
B. 2 BEDROOM & DEN (66 x 1)		66 DU
C. TOTAL DENSITY UNITS PROPOSED		132 DU
9. LOCAL OPEN SPACE		
A. REQUIRED		0.16 AC
DR 5B (2.17/5B)		1.40 AC
DR 1G (9.28/1G)		2.34 AC
10. PROPOSED		
7. PARKING SPACES		
A. REQUIRED (DR 1G 1 L.U. x 2.2) (DR 1G 17 DU x 1.5B) (79.01)		201.01 PS.
B. PROPOSED		225 PS.
C. TOTAL ADT		939 ADT
8. SEWER DESIGN		0.0587 MAFD
10. WATER SIZED AREA - GUNPOWDER		
1. SEWAGE 1/2 GUNPOWDER PUMPING STATION		

**SECTION
ONE
ONLY**



DEVELOPER
TOWN VILLA CORPORATION
7720 BELAIR ROAD
BALTIMORE, MARYLAND 21236

OWNER
NORTHGATE CONSTRUCTION CO. INC.
522 NORTH STONESTREET AVE.
ROCKVILLE, MD. 20850

OWNERS CERTIFICATE:

SURVEYORS CERTIFICATE:

Clark SECTION ONE
FORESTVIEW
9th ELECT. DISTRICT BALTIMORE COUNTY, MD.
SCALE 1"=20' SEPT. 24, 1975

MCA ENGINEERING CORPORATION
1020 CROMWELL BRIDGE ROAD
BALTIMORE, MARYLAND 21204

APPROVED, BALTIMORE COUNTY PLANNING BOARD

11/3/75 William Thomas
DATE DIRECTOR

NOTE:
STREETS and/or ROADS shown hereon and mention thereof in deeds are for purposes of description only, and the same are not intended to be dedicated to public use; the fee simple title to the beds thereof is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.

NOTE:
COORDINATES and BEARINGS shown on this plot are referred to the system of coordinates established in T1a Baltimore County Metropolitan District and are based on the following traverse stations:

3547 N 37004.41 E 35253.48

OWNERS CERTIFICATE:

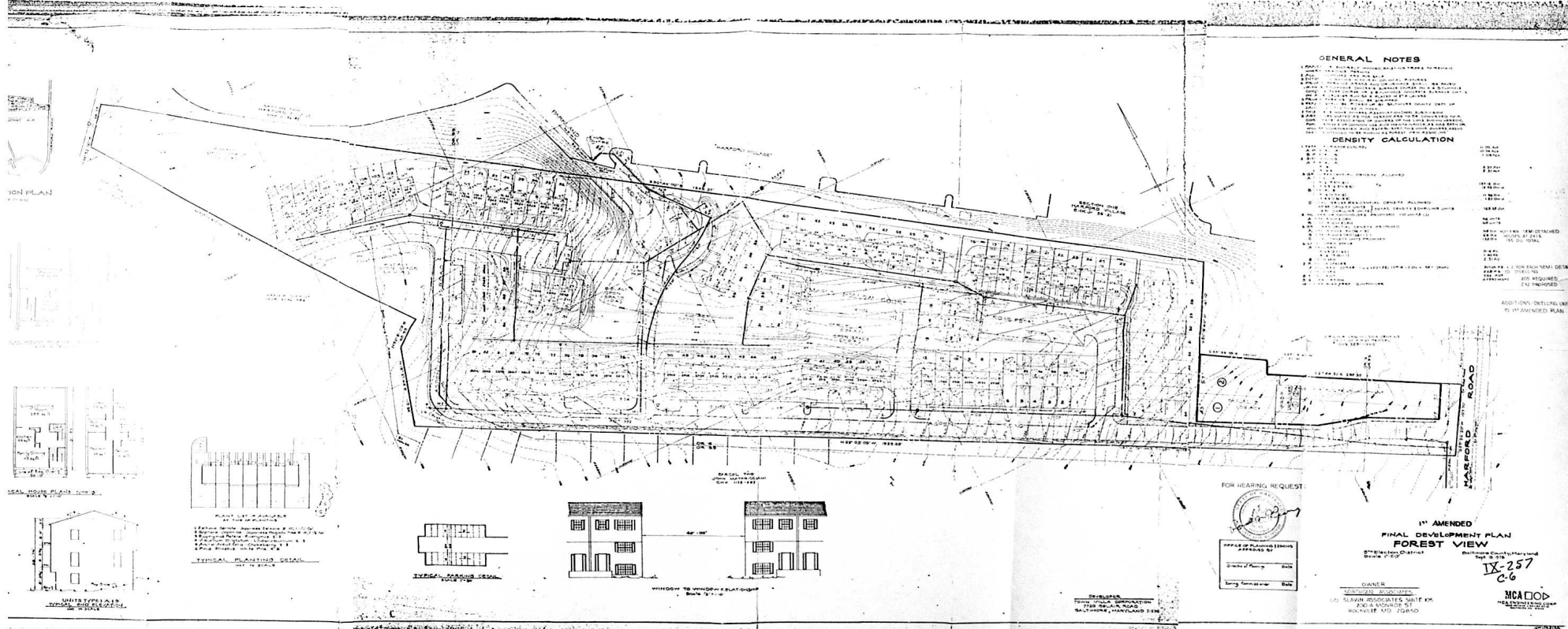
The requirements of Section 72-9, Article 17 of the Annotated Code of Maryland, (Black 1947 Supplement) insofar as they relate to the preparation of this plot have been complied with.

DEVELOPER _____ DATE _____

SURVEYORS' CERTIFICATE
IRONALD W. BROYLES, Registered Land Surveyor of the State of Maryland, do hereby certify that the land shown hereon has been laid out, and the plot thereof prepared in accordance with the provisions of the law relating to the subdivision of land known as House Bill #459, Chapter 1016 of the Acts of 1945 and subsequent amendatory a.k.

9th ELE
OCSA
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COMPUTED:	DRAWN:	CHECKED:	J.O.F
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GENERAL NOTES

1. ALL LOTS SHALL BE SUBDIVIDED INTO LOTS OF 1/4 AC. OR MORE.
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DENSITY CALCULATION

LOT	AREA (AC)	DENSITY	TOTAL
1	1.00	1.00	1.00
2	1.00	1.00	2.00
3	1.00	1.00	3.00
4	1.00	1.00	4.00
5	1.00	1.00	5.00
6	1.00	1.00	6.00
7	1.00	1.00	7.00
8	1.00	1.00	8.00
9	1.00	1.00	9.00
10	1.00	1.00	10.00
11	1.00	1.00	11.00
12	1.00	1.00	12.00
13	1.00	1.00	13.00
14	1.00	1.00	14.00
15	1.00	1.00	15.00
16	1.00	1.00	16.00
17	1.00	1.00	17.00
18	1.00	1.00	18.00
19	1.00	1.00	19.00
20	1.00	1.00	20.00
21	1.00	1.00	21.00
22	1.00	1.00	22.00
23	1.00	1.00	23.00
24	1.00	1.00	24.00
25	1.00	1.00	25.00
26	1.00	1.00	26.00
27	1.00	1.00	27.00
28	1.00	1.00	28.00
29	1.00	1.00	29.00
30	1.00	1.00	30.00
31	1.00	1.00	31.00
32	1.00	1.00	32.00
33	1.00	1.00	33.00
34	1.00	1.00	34.00
35	1.00	1.00	35.00
36	1.00	1.00	36.00
37	1.00	1.00	37.00
38	1.00	1.00	38.00
39	1.00	1.00	39.00
40	1.00	1.00	40.00
41	1.00	1.00	41.00
42	1.00	1.00	42.00
43	1.00	1.00	43.00
44	1.00	1.00	44.00
45	1.00	1.00	45.00
46	1.00	1.00	46.00
47	1.00	1.00	47.00
48	1.00	1.00	48.00
49	1.00	1.00	49.00
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65	1.00	1.00	65.00
66	1.00	1.00	66.00
67	1.00	1.00	67.00
68	1.00	1.00	68.00
69	1.00	1.00	69.00
70	1.00	1.00	70.00
71	1.00	1.00	71.00
72	1.00	1.00	72.00
73	1.00	1.00	73.00
74	1.00	1.00	74.00
75	1.00	1.00	75.00
76	1.00	1.00	76.00
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78	1.00	1.00	78.00
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96	1.00	1.00	96.00
97	1.00	1.00	97.00
98	1.00	1.00	98.00
99	1.00	1.00	99.00
100	1.00	1.00	100.00

ADDITIONAL DUTYING UNIT
10.00 AMENDED PLAN

FOR HEARING REQUEST

OFFICE OF PLANNING & DEVELOPMENT
APPROVED BY: [Signature]
Date: [Blank]
Serving term to: [Blank]

**1ST AMENDED
FINAL DEVELOPMENT PLAN
FOREST VIEW**

8th Planning District
Bureau of Planning & Development

IX-257
C-6

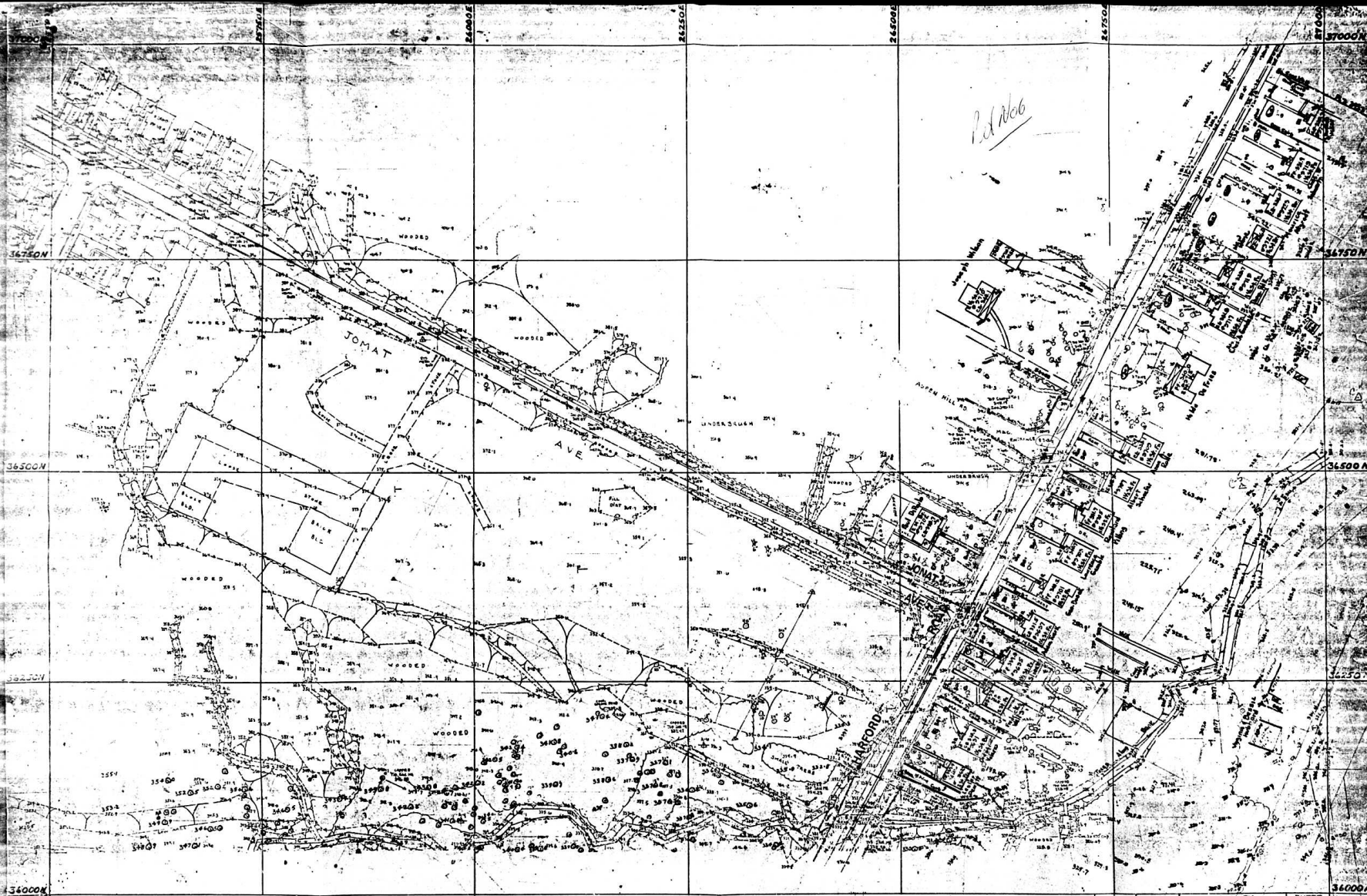
OWNER: [Blank]
DESIGNER: [Blank]
100 S. HAVEN BOULEVARD, SUITE 100
PO BOX 10000, ST. LOUIS, MO 63110
HARRISBURG, MO 63043

DATE FORWARDED: 1/15/76

PLANS: 8

1/15/76

94-285-SPA#285



SCALE	KEY SHEET	LOCALITY	SHEET
1 IN. = 50 FT.	N	CARNEY	37
DATE STARTED	N.E.	ELECTION DIST. NO. - 9	NE
51			18

MICROFILMED