| | | |
|---|---|---|
| IN RE: DEV. PLAN HEARING & PETITION FOR SPECIAL HEARING | * | BEFORE THE HEARING OFFICER/ |
| E/S Garrison Forest Road, North Rosewood Lane (Caves Farm) | * | ZONING COMMISSIONER |
| 4th Election District | * | OF BALTIMORE COUNTY |
| 3rd Councilmanic District | | |
| Legal owner: Caves Farm Investment Company - Contract | * | Case No. IV-130 & 96-293-SPH |
| Purchaser: Howard D. Wolfe, Jr. | * | |
| Caves Farm Investment Co. | | |
| Applicant/Petitioner | | |

* * * * * * * * * * *

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN AND VARIANCE ORDER

This matter comes before the Zoning Commissioner/Hearing Officer as a combined hearing, pursuant to the authority granted in Section 26-206.1 of the Baltimore County Code. The Petitioner/Developer seeks approval of the development plan prepared by Patton Consultants Ltd. on behalf of the owner/developer of the subject property, known as the Caves Farm Investment Company. In addition to an approval of the development plan the Petitioner seeks Special Hearing relief. The Petition seeks approval to allow 3 nondensity transfers from within the subject tract, zoned R.C.2. Specifically, the property designated as Parcel A is to be acquired by the owner of offsite lot Y. The property designated as parcel B is to be jointly acquired by the owners of offsite lots U and V, and the property known as parcel C is to be acquired by the owner of offsite lot Q. All of these acquisitions are for the transfer of acreage, only, and no rights of subdivision/density are being transferred.

As noted above, the zoning Petition and development plan approval were combined into a single public hearing. That hearing was scheduled and conducted in its entirety on March 20, 1996. The Hearing Officer's hearing conducted on that date represented the Developer's final step in Phase 1 of the development review process. That process was instituted when a concept plan was submitted for this project on June 12, 1995. A

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Date 4/9/96
By

Community Input Meeting, as required by the Code, was conducted on July 11, 1995 at the St. Thomas Church in Owings Mills. A development plan conference was held and the plan submitted on February 28, 1996.

Appearing at the requisite Hearing Officer's hearing on behalf of the Petitioner/Developer were Henry LeBrun and Howard D. Wolfe, Jr. Also present was James Patton, the engineer who prepared the site plan. The Developer/Petitioner was represented by Robert A. Hoffman, Esquire. David M. Blum and John J. Heyn, neighbors of the tract and potential property owners of the lots proposed to be transferred, also appeared. Both Mr. Blum and Mr. Heyn support the project and join in the request for approval of the development plan and Petition for Special Hearing. There were no Protestants who appeared at the hearing.

Appearing on behalf of the various Baltimore County agencies which evaluated the project were Dave Flowers, the Project Manager, Kate Milton and Dennis Kennedy from the Office of Permits and Development Management (PDM), Ervin McDaniel from the Office of Planning (OP), and R. Bruce Seeley, David Lykens, Wally Lippincott, and Claire Bruner from the Department of Environmental Protection and Resource Management (DEPRM).

The subject property is a large tract of approximately 290 acres located on the east side of Garrison Forest Road and north of Rosewood Lane. The property, in its entirety, is zoned R.C.2. The Petitioner/Developer proposes a subdivision of the tract which will result in the ultimate construction of 5 single family dwellings on five individual lots. Moreover, four parcels which total 68.4 acres, are to be conveyed to adjacent property owners as nondensity transfers, pursuant to the Petition for Special Hearing. Open space of approximately 11.4 acres will also be provided.

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Date 4/4/96
By M. Grant

An examination of the development plan clearly depicts the proposed development. Lot No. 1 is shown on the west side of the property and is projected to be 17.5 acres. The lot is presently unimproved, although an envelope for placement of a future dwelling is shown on the plan. Lot No. 2, adjacent to lot No. 1, is located on the southeast side of the tract. Lot No. 2 is proposed to be 14.1 acres and the plan also indicates the location of the building envelope for the proposed house. Lot No. 3 occupies the central portion of the site and will be 75 acres in area. A building envelope is also shown for this lot. It is significant to note that the three houses proposed for lots 1, 2, and 3 are clustered. This clustering is done so as to preserve large areas of forest buffer and to permit continued agricultural operations on the site.

Lot No. 4 is located on the western side of the property. This lot is a large tract, 58.4 acres, and the plan indicates the location of building envelope for that house on that parcel. Lot No. 5 is approximately 69 acres in area and again the plan indicates the location of the proposed building envelope for the house.

In addition to these five lots, the plan also shows the subject parcels identified in the Petition for Special Hearing. These parcels are being carved from the overall tract and will be transferred to adjacent property owners without density. The southern portion of the tract abuts the residential community known as Caves Wood and several of the individual residents in that community are proposed to acquire the subject parcels to increase their yard areas.

Parcel A is 1.3 acres and will be acquired by the present owner of lot Y. Parcel B is 1.4 acres and will be jointed acquired by owners of lots U and V. Both of those lots abut Parcel B and that parcel will be divided among those two property owners by extending their existing joint

ORDER RECEIVED FOR FILING
Date 4/4/96
By M. Zorah

property line. Parcel C, the largest lot to be transferred at approximately 53 acres, will be acquired by the owner of Lot Q.

Section 26-206 of the Baltimore County Code requires the Hearing Officer to first identify open issues and unresolved comments when evaluating the development plan. In this regard, it was indicated by both the Developer's consultants and the County representatives that the plan was largely in compliance with all County regulations, standards and policies. However, there were three minor issues identified which do need resolution.

The first of these relates to the development plan comment offered by the Department of Recreation and Parks. That comment notes, "However, the north branch of the Jones Falls is a master plan designated greenway. We would <u>request</u> an easement to be placed on the plan for public access." (Emphasis added) The Developer observed that the Department of Recreation and Parks' comment was in the manner of a request and not a requirement. Moreover, the Developer's representatives indicated that the allowance of an easement would disrupt the private property rights of the ultimate owner of lot No. 3. It was also noted that the proposed development plan and subdivision will not interfere with public access by means of an offsite route to the public greenway. For these reasons, I will not require that the plan be amended to provide an easement as requested by the Department of Recreation and Parks.

The second issue identified relates to the transfer of Parcel C. This is a large tract which is being conveyed by way of a nondensity transfer to the owner of lot Q. In order to facilitate this transfer, the Developer requested that this Hearing Officer's opinion and Order provide that Parcel C may be transferred prior to the recordation of the record plat for the development for so long as the forest buffer shown on the

ORDER RECEIVED FOR FILING
Date 7/1/96
By M. Ford

plan is provided. That is, the conveyance of Parcel C will be prior to record plat, however, the record plat will indicate that these buffers will be maintained as part of the approved development plan. This request is appropriate and shall be permitted.

The third issue identified at the hearing was the most contentious. This issue was raised by Wally Lippincott on behalf of DEPRM. As noted in that agency's development plan comment, Mr. Lippincott requests an adjustment to the line of division between lots 4 and 5. Specifically, he requests that the line be altered so as to reflect present farming operations. As shown on the plat, a portion of lots 4 and 5 is occupied by forest buffer and other portions of those lots are used for active farming and agricultural operations. Mr. Lippincott desires that the lot line between these lots reflect the agricultural use, so as to protect and preserve the farming operations.

To a certain extent, Mr. Lippincott's request is at odds with other comments generated by his Department. In this regard, the plan has been prepared so as to reflect a request from DEPRM to preserve the forest buffers. The Petitioner/Developer believes that the placement of the lot line as shown on the plan is correct and appropriate and that the parcel should be subdivided in a manner shown so as to make the lots marketable, while preserving the rural character of the site. In this regard, additional comments were received from the owners of the parcel indicating their plans for the tract. They indicated that there would be no further development of the overall parcel than as shown on the plan. Moreover, it is proposed that all 290 acres of the subject tract will be placed in the Maryland Environmental Trust, or similar program. It is also to be observed that future use of the subject property will be regulated by the BCZR. The property owner, by right, is entitled to develop and utilize

ORDER RECEIVED FOR FILING
Date 4/4/96
By M. Torrence



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the parcel for any legitimate purposes defined in those regulations. Moreover, it was requested at the Hearing Officer's hearing that this Order recognize that placement of the tract into an environmental trust program will be accomplished within five years, consistent with the period of validity of the approved development plan.

I will take the property owners/Developer at their word and approve the plan and the configurations presently shown. Although Mr. Wally Lippincott's comments are well taken, a re-configuration of lot lines is not appropriate. This property owner, or subsequent owners, could erect fences anywhere on the site or choose not to farm the existing fields. Although Mr. Lippincott's motives are appropriate, the County's land use regulations cannot mandate specific utilization of privately held property. Relocation of the line of division does by no means ensure that the property will continue to be farmed. On balance, I believe that the plan is appropriate and furthers the goals and spirit of the R.C. zoning classification. Thus, for these reasons, I will approve the plan, as submitted and discussed herein.

ORDER RECEIVED FOR FILING
Date 4/4/96
By M. Kowalski

Turning to the special hearing relief, it is clear that same should be granted. The nondensity conveyances, as shown on the plan and described above, are appropriate. They do not increase, in any way, the density available to the site or permit additional subdivision. In my judgment, the conveyances and the grant of the special hearing relief will not be detrimental to the health, safety or general welfare of the locale. Thus, the zoning relief, as requested, shall be granted.

Pursuant to the development regulations of Baltimore County, as contained within Subtitle 26 of the Baltimore County Code, the advertising of the property and the public hearing thereon, I will approve the develop-

ment plan consistent with the comments set forth above and shall so order.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 4th day of April 1996, that the development plan submitted in the within case as Developer/Petitioner's Exhibit No. 1, be and is hereby APPROVED in accordance with the terms and conditions as set forth herein; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval for 3 nondensity transfers from within the subject tract, zoned R.C.2; i.e., the lot designated as Parcel A to be acquired by the owner of lot Y, the lot designated as parcel B to be jointly acquired by the owners of lots U and V, and the lot known as parcel C to be acquired by the owner of lot Q., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Developer shall prepare and submit to Permits and Development Management (PDM), 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 opinion and Order and/or the development plan comments.

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

ORDER RECEIVED FOR FILING
Date 4/4/96
By

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 3, 1996

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

RE: Development Plan Order
Case No. IV-130 and 96-293-SPH
Project: Caves Farm
Caves Farm Investment Co., Developer/Applicant

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Hearing Officer's Opinion and Development Plan Order and Petition for Special Hearing have 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.
David M. Blum, 34 Caveswood Lane, Owings Mills, 21117
John J. Heyn, 14 Caveswood Lane, Owings Mills, 21117
c: Dave Flowers, Project Manager
c: Various County Agencies

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269

# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

**for the property located at** E/S Garrison Forest Road, N of Rosewood Lane

96-293-SPH

**which is presently zoned** RC2

**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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

to allow ~~four~~ three (3) non-density transfers in an RC2 zone.
(Parcel A to be acquired by Lot Y without density) and
(Parcel B to be acquired by Lots U ~~and~~ and V without density)
(Parcel C to be acquired by Lot Q without density)
~~(Parcel D to be acquired by Lot A without density)~~

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

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

Contract Purchaser/~~Lessee~~

Howard D. Wolfe, Jr.
(Type or Print Name)

Signature
c/o New Enterprise Associates
1119 St. Paul Street
Address
Baltimore, Maryland 21202
City State Zipcode

Attorney for Petitioner.

Robert A. Hoffman, Esquire
(Type or Print Name)

Signature Venable, Baetjer & Howard, LLP
210 Allegheny Avenue 494-6262
Address Phone No.
Towson, Maryland 21204
City State Zipcode

Legal Owner(s)

Caves Farm Investment Company
(Type or Print Name)

By:
Signature Leonard Farbman, Partner

(Type or Print Name)

Signature
c/o Nardone Pridgeon Company
600 Baltimore Avenue, Suite 205
Address Phone No.
Towson, Maryland 21204
City State Zipcode
Name, Address and phone number of representative to be contacted.

Robert A. Hoffman, Esquire
Name 210 Allegheny Avenue
Towson, Maryland 21204 494-6262
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2HRS.

unavailable for Hearing
the following dates _____ Next Two Months
ALL _____ OTHER _____

REVIEWED BY: _____ DATE 1/11/96

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PATTON

Patton Consultants Ltd. Engineering & Site Planning

96-293-SPH

269

**ZONING DESCRIPTION**
**CAVES FARM**

Beginning at a point on the north side of Caves Road said point being 25 feet ± from the center line and 1600 feet ± east of the center line of Caves Wood Lane. Thence the following courses and distance.

| | | |
|---|---|---|
| 1. | N 58° 20′ 00″ E - | 48.78′ |
| 2. | N 56° 07′ 40″ W - | 160.99′ |
| 3. | N 60° 08′ 40″ W - | 144.98′ |
| 4. | N 42° 59′ 40″ W - | 191.11′ |
| 5. | N 25° 50′ 40″ W - | 254.43′ |
| 6. | N 25° 00′ 20″ W - | 177.32′ |
| 7. | N 23° 25′ 20″ W - | 211.41 |
| 8. | N 76° 52′ 40″ E - | 246.94′ |
| 9. | N 76° 52′ 00″ E - | 240.90′ |
| 10. | N 18° 11′ 00″ W - | 1018.85′ |
| 11. | S 78° 00′ 00″ W - | 608.80′ |
| 12. | N 23° 43′ 00″ W - | 449.90′ |
| 13. | N 77° 32′ 00″ W - | 1078.60′ |
| 14. | N 29° 31′ 00″ W - | 1591.30′ |
| 15. | S 77° 27′ 00″ W - | 464.00′ |
| 16. | S 12° 09′ 00″ E - | 1424.80′ |
| 17. | S 11° 51′ 00″ E - | 697.70′ |
| 18. | S 84° 18′ 01″ W - | 2468.80′ |
| 19. | S 78° 26′ 01″ W - | 285.40′ |
| 20. | S 86° 48′ 00″ W - | 1537.80′ |
| 21. | S 45° 47′ 00″ W - | 45.00′ |
| 22. | S 30° 20′ 02″ E - | 261.70′ |
| 23. | S 59° 09′ 58″ W - | 197.10′ |
| | to the east side of Garrision Forest Drive | |
| 24. | S 30° 09′ 00″ E - | 120.57′ |
| | along east side of Garrison Forest Drive | |
| 25. | N 48° 02′ 33″ E - | 803.81′ |
| 26. | N 78° 26′ 01″ E - | 1223.78′ |
| 27. | N 84° 18′ 01″ E - | 81.96′ |
| 28. | S 09° 15′ 05″ E - | 2922.78′ |
| 29. | S 63° 05′ 00″ E - | 546. 00′ |
| 30. | S 62° 42′ 00″ E - | 517.88′ |

305 West Chesapeake Avenue, Suite 118, Towson, Maryland 21204
410-296-2140 Fax 410-296-0419

96-293-SPH

**CAVES FARM**
**ZONING DESCRIPTION**
**CONTINUED**

| | | |
|---|---|---|
| 31. | N 50° 07′ 00″ E - | 435.21′ |
| 32. | S 12° 04′ 00″ E - | 406.36′ |
| 33. | N 16° 19′ 50″ E - | 1372.07′ |
| 34. | N 50° 46′ 00″ E - | 692.95′ |
| 35. | N 45° 00′ 00″ E - | 438.00′ |
| 36. | N 27° 37′ 00″ E - | 138.00″ |
| 37. | N 56° 12′ 12″ E - | 863.57′ |
| 38. | N 70° 10′ 40″ E - | 92.00′ |
| 39. | S 42° 19′ 50″ E - | 634.29′ |
| 40. | S 26° 27′ 40″ E - | 94.10′ |
| 41. | S 43° 12′ 00″ E - | 111.47′ |
| 42. | N 72° 49′ 40″ E - | 165.90′ |
| 43. | N 36° 02′ 00″ E - | 267.17′ |
| 44. | N 61° 07′ 00″ E - | 102.10′ |
| 45. | S 88° 23′ 00″ E - | 140.82′ |
| 46. | S 16° 17′ 30″ E - | 211.77′ |
| 47. | N 69° 16′ 00″ E - | 283.11′ |
| 48. | S 25° 50′ 40″ E - | 254.80′ |
| 49. | S 42° 59′ 40″ E - | 220.59′ |
| 50. | S 60° 08′ 40″ E - | 143.23′ |
| 51. | S 56° 07′ 40″ E - | 138.15′ |

To the place of beginning, containing 290 acres ± per deeds

STATE OF MARYLAND
JAMES STEPHEN PATTON
NO. 9493
REGISTERED
PROFESSIONAL ENGINEER

96-293-SPH

**ZONING DESCRIPTION**
**FOR LOT "Y" AS REFERENCED ON ZONING PLAT**
**FOR CAVES FARM**

Beginning at a point on the center line of Caves Road and on the westerly side of Tuttle Farm Road. Said point being 1600′ ± east of the centerline of Caveswood Lane. Thence the following courses and distances.

| | | |
|---|---|---|
| 1. | S 56° 07′ 40″ E | 138.15′ |
| 2. | S 60° 08′ 40″ E | 143.23′ |
| 3. | S 42° 59′ 40″ E | 220.59′ |
| 4. | S 25° 50′ 40″ E | 254.80′ |
| 5. | N 69° 16′ 00″ E | 283.11′ |
| 6. | S 16° 17′ 30″ E | 82.31′ |
| 7. | S 22° 01′ 10″ E | 606.95′ (To center line of Caves Road) |
| 8. | N 69° 24′ 00″ E | 507.29′ Along Center Line of Caves Road |
| 9. | N 58° 20′ 00″ E | 46.62′ |

To the place of beginning, containing 5.84 acres ± per deeds.

STATE OF MARYLAND
JAMES STEPHEN PATTON
NO. 9493
REGISTERED
PROFESSIONAL ENGINEER

MICROFILMED

96-263-SPH

**ZONING DESCRIPTION**
**FOR LOT "Q" AS REFERENCED ON ZONING PLAT**
**FOR CAVES FARM**

ZONING DESCRIPTION FOR: 26 Caveswood Lane

Election District: 4 Councilmanic District: 3

Beginning at a point on the northwesterly side of Caveswood Lane which is 50' wide at a distance of 1880' ± N.W. of the centerline of the nearest improved intersecting street, Caves Road, which is variable in width. Being Lot #4, Block N/A, Section "B" in the subdivision of Caveswood as recorded in Baltimore County Plat Book #20, Folio #28, containing 1.90 ± Acres.

STATE OF MARYLAND
JAMES STEPHEN PATTON
NO. 9493
REGISTERED
PROFESSIONAL ENGINEER

MICROFILMED

96-293-SPH

**ZONING DESCRIPTION**
**FOR LOT "U" AS REFERENCED ON ZONING PLAT**
**FOR CAVES FARM**

ZONING DESCRIPTION FOR: 34 Caveswood Lane

Election District: 4 Councilmanic District: 3

Beginning at a point on the north side of Caveswood Lane which is 50′ wide at a distance of 1130′ ± N.W. of the centerline of the nearest improved intersecting street, Caves Road, which is variable in width. Being Lot #8, Block N/A, Section "B" in the subdivision of Caveswood as recorded in Baltimore County Plat Book #20, Folio #28, containing 1.90 ± Acres.

STATE OF MARYLAND
JAMES STEPHEN PATTON
NO. 9493
REGISTERED
PROFESSIONAL ENGINEER

96-293-SPH
HOH IV-130

**CERTIFICATE OF POSTING**
**ZONING DEPARTMENT OF BALTIMORE COUNTY**
**Towson, Maryland**

District 4th

Date of Posting

Posted for: Development Plan Hearing and Special Hearing

Petitioner: Caves Farm Investment

Location of property: E/S Garrison Forest Rd., N of Rosewood Ln

Location of Signs:

Remarks:

Posted by Mark Sauer
Signature

Date of return:

Number of Signs:

**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 116, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-293-SPH
(Item 269)
N/S Caves Road, 25'+/- of centerline (and) 1600'+/- E of c/l Caves Wood Lane
Caves Farm
4th Election District
3rd Councilmanic
Legal Owner(s):
Caves Farm Investment Company
Contract Purchaser:
Howard D. Wolfe, Jr.
**Special Hearing:** to allow three non-density transfers.
Hearing: Wednesday, March 20, 1996 at 9:00 a.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.
(2) For information concerning the File and/or Hearing, Please Call 887-3391.

2/291 Feb. 22 032996

# CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/22, 1996

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 2/22, 1996.

**THE JEFFERSONIAN,**

A. Henderson

LEGAL AD. - TOWSON

TIMORE COUNTY, MARYLAND 96-256
OFFICE OF FINANCE - REVENUE DIVISION No.
MISCELLANEOUS CASH RECEIPT

DROP - OFF
change requested by JLL

DATE 1/29/96 ACCOUNT 001-6150

AMOUNT $ 100.00 (WCR)

RECEIVED FROM: Venable, Baetjer & Howard

#110 - REVISIONS

FOR: Revised Petition - Item #269
Eaves Farm Investment Company

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

By JLL 1/11/96

ALTIMORE COUNTY, MARYLAND No. #269
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 1/11/96 ACCOUNT R001150

AMOUNT $ 270.00

RECEIVED FROM: V B H

E. SIDE GARRISON FORESTED NOT RESURVEYED LA

FOR: SPH FOR 4 PROPOSED LOTS, 50.00 LA = 200.00
70.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Baltimore County
Department of Permits and
Development Management

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

96-293-SPH

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

---

For newspaper advertising:

Item No.: 269 Petitioner: Caves Farm Investment Co.

Location: E/S Garrison Forest Road, N of Rosewood Lane

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Barbara W. Ormord, Legal Assistant

ADDRESS: 210 Allegheny Avenue
Towson, Md 21204

PHONE NUMBER: 494-6201

Printed with Soybean Ink
on Recycled Paper

TO: PUTUXENT PUBLISHING COMPANY
February 22, 1996 Issue - Jeffersonian

Please foward billing to:

Barbara W. Ormord
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, MD 21204
494-6201

---

# 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: 96-293-SPH (Item 269)
N/S Caves Road, 25'+/- of centerline (and) 1600'+/- E of c/l Caves Wood Lane
Caves Farm
4th Election District - 3rd Councilmanic
Legal Owner: Caves Farm Investment Company
Contract Purchaser: Howard D. Wolfe, Jr.

Special Hearing to allow three non-density transfers.

HEARING: WEDNESDAY, MARCH 20, 1996 at 9:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County
Department of Permits and
Development Management

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

February 14, 1996

# 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:

DEVELOPMENT PLAN HEARING
Project Name: Caves Farm
Project Number: IV-130
Location: E/S Garrison Forest Road, N of Rosewood Lane
Acres: 290
Developer: Caves Farm Investment Co./Nardone Pridgeon Co.
Proposal: 5 single family dwelling

and

CASE NUMBER: 96-293-SPH (Item 269)
N/S Caves Road, 25'+/- of centerline (and) 1600'+/- E of c/l Caves Wood Lane
Caves Farm
4th Election District - 3rd Councilmanic
Legal Owner: Caves Farm Investment Company
Contract Purchaser: Howard D. Wolfe, Jr.

Special Hearing to allow three non-density transfers.

HEARING: WEDNESDAY, MARCH 20, 1996 at 9:00 a.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: Caves Farm Investment Company
Howard D. Wolfe, Jr.
Robert A. Hoffman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink
on Recycled Paper

Baltimore County
Department of Permits and
Development Management

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

March 14, 1996

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 269
Case No.: 96-293-SPH
Petitioner: Caves Farm Investment

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 29, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

February 21, 1996

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #269 - Caves Farm REVISED
Garrison Forest Road
Zoning Advisory Committee Meeting of February 12, 1996

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

Ground Water Management & Environmental Impact Review

Concept Plan comments dated June 12, 1995 apply to this site.

Agricultural Preservation Program

Nondensity transfer of Parcel C raises concerns as does the larger subdivision for the impact of the proposed lot lines on the agricultural resources. Although Parcel C is large and does not retain density, one of the lot lines divides prime and productive soil areas in such a way as to limit its potential agricultural uses. The nondensity transfer can be supported if it is reconfigured in a manner similar to that shown on the attached drawing.

Although not part of the hearing, similar comments apply to the subdivision of Lots 4 and 5. The proposed lot lines for these two lots divide several fields in such a way as to reduce the potential for agricultural uses.

JLP:TE:WL:sp

CAVES/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E  C O R R E S P O N D E N C E

TO: Arnold Jablon, Director  DATE: Jan. 26, 1996
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for January 29, 1996
Item No. 269

The Development Plans Review Division has reviewed the subject zoning item. The plan as submitted, indicated only three parcels (A, B & C) to be transferred without density. Your proposed zoning request, "a Special Hearing to allow four non-density transfers" does not agree with the plan. Please clarify the descrepancy and submit a revised plan.

RWB:sw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director, PDM **DATE:** January 29, 1996

**FROM:** Arnold F. 'Pat' Keller, III, Director, PO

**SUBJECT:** Caves Farms

**INFORMATION:**

**Item Number:** 269

**Petitioner:** Caves Farm

**Property Size:**

**Zoning:** RC-2

**Requested Action:** Special Hearing

**Hearing Date:** / /

**SUMMARY OF RECOMMENDATIONS:**

This office will provide combined development plan and zoning comments at the appropriate time.

**Prepared by:** Jeffrey W. Long

**Division Chief:** Gary L. Kerns

PK/JL

| | | |
|---|---|---|
| RE: PETITION FOR SPECIAL HEARING<br>N/S Caves Road, 25'+/- of c/l (and) 1600'<br>+/- E of c/l Caves Wood Ln (Caves Farm)<br>4th Election District - 3rd Councilmanic<br><br>Legal Owner: Caves Farm Investment Co.<br>Contract Purchaser: Howard D. Wolfe, Jr.<br>Petitioners | *<br>*<br><br>*<br><br>*<br>*<br>* | BEFORE THE<br><br>ZONING COMMISSIONER<br><br>OF BALTIMORE COUNTY<br><br>CASE NO. 96-293-SPH |

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of February, 1996, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/25/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 22, 1996.

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.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:266, 267, 268 AND 269.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

RECEIVED
JAN 29 1996
PDM

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Baltimore County
Department of Permits and
Development Management

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

February 8, 1996

96-293-SPA

Robert A. Hoffman, Esquire
Venable, Baetjer, & Howard
210 Allegheny Avenue
Towson, MD 21204

RE: Preliminary Revision Review (Item #269)
Revised Petition for Special Hearing
Legal Owner: Caves Farm Investment Co.

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced revisions were accepted for filing without a final filing review by the staff. The revisions were accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed no unaddressed zoning issues and/or incomplete information. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the $100.00 revision fee.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John L. Lewis
Planner II
Zoning Review

JLL:scj

Enclosure (receipt)

c: Zoning Commissioner

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on Recycled Paper

**Maryland Department of Transportation**
*State Highway Administration*

David L. Winstead
Secretary
Hal Kassoff
Administrator

1-19-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 269 (JLL)

Dear Ms. Watson:

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 affected 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

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

**Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717**
**Street Address: 707 North Calvert Street • Baltimore, Maryland 21202**

IN RE: DEV. PLAN HEARING & PETITION FOR SPECIAL HEARING
E/S Garrison Forest Road, North Rosewood Lane (Caves Farm)
4th Election District
3rd Councilmanic District
Legal owner: Caves Farm Investment Company - Contract Purchaser: Howard D. Wolfe, Jr.
Caves Farm Investment Co.
Applicant/Petition

* BEFORE THE HEARING OFFICER/
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. IV-130 & 96-293-SPH

* * * * * * * * * * * *

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN AND VARIANCE ORDER

This matter comes before the Zoning Commissioner/Hearing Officer as a combined hearing, pursuant to the authority granted in Section 26-206.1 of the Baltimore County Code. The Petitioner/Developer seeks approval of the development plan prepared by Patton Consultants Ltd. on behalf of the owner/developer of the subject property, known as the Caves Farm Investment Company. In addition to an approval of the development plan the Petitioner seeks Special Hearing relief. The Petition seeks approval to allow 3 nondensity transfers from within the subject tract, zoned R.C.2. Specifically, the property designated as Parcel A is to be acquired by the owner of offsite lot Y. The property designated as parcel B is to be jointly acquired by the owners of offsite lots U and V, and the property known as parcel C is to be acquired by the owner of offsite lot Q. All of these acquisitions are for the transfer of acreage, only, and no rights of subdivision/density are being transferred.

As noted above, the zoning Petition and development plan approval were combined into a single public hearing. That hearing was scheduled and conducted in its entirety on March 20, 1996. The Hearing Officer's hearing conducted on that date represented the Developer's final step in Phase 1 of the development review process. That process was instituted when a concept plan was submitted for this project on June 12, 1995. A

ORDER RECEIVED FOR FILING
Date 4/4/96
By M. Nevett



Community Input Meeting, as required by the Code, was conducted on July 11, 1995 at the St. Thomas Church in Owings Mills. A development plan conference was held and the plan submitted on February 28, 1996.

Appearing at the requisite Hearing Officer's hearing on behalf of the Petitioner/Developer were Henry LeBrun and Howard D. Wolfe, Jr. Also present was James Patton, the engineer who prepared the site plan. The Developer/Petitioner was represented by Robert A. Hoffman, Esquire. David M. Blum and John J. Heyn, neighbors of the tract and potential property owners of the lots proposed to be transferred, also appeared. Both Mr. Blum and Mr. Heyn support the project and join in the request for approval of the development plan and Petition for Special Hearing. There were no Protestants who appeared at the hearing.

Appearing on behalf of the various Baltimore County agencies which evaluated the project were Dave Flowers, the Project Manager, Kate Milton and Dennis Kennedy from the Office of Permits and Development Management (PDM), Ervin McDaniel from the Office of Planning (OP), and R. Bruce Seeley, David Lykens, Wally Lippincott, and Claire Bruner from the Department of Environmental Protection and Resource Management (DEPRM).

The subject property is a large tract of approximately 290 acres located on the east side of Garrison Forest Road and north of Rosewood Lane. The property, in its entirety, is zoned R.C.2. The Petitioner/Developer proposes a subdivision of the tract which will result in the ultimate construction of 5 single family dwellings on five individual lots. Moreover, four parcels which total 68.4 acres, are to be conveyed to adjacent property owners as nondensity transfers, pursuant to the Petition for Special Hearing. Open space of approximately 11.4 acres will also be provided.

ORDER RECEIVED FOR FILING
Date 4/4/96
By M. Nevett



An examination of the development plan clearly depicts the proposed development. Lot No. 1 is shown on the west side of the property and is projected to be 17.5 acres. The lot is presently unimproved, although an envelope for placement of a future dwelling is shown on the plan. Lot No. 2, adjacent to lot No. 1, is located on the southeast side of the tract. Lot No. 2 is proposed to be 14.1 acres and the plan also indicates the location of the building envelope for the proposed house. Lot No. 3 occupies the central portion of the site and will be 75 acres in area. A building envelope is also shown for this lot. It is significant to note that the three houses proposed for lots 1, 2, and 3 are clustered. This clustering is done so as to preserve large areas of forest buffer and to permit continued agricultural operations on the site.

Lot No. 4 is located on the western side of the property. This lot is a large tract, 58.4 acres, and the plan indicates the location of building envelope for that house on that parcel. Lot No. 5 is approximately 69 acres in area and again the plan indicates the location of the proposed building envelope for the house.

In addition to these five lots, the plan also shows the subject parcels identified in the Petition for Special Hearing. These parcels are being carved from the overall tract and will be transferred to adjacent property owners without density. The southern portion of the tract abuts the residential community known as Caves Wood and several of the individual residents in that community are proposed to acquire the subject parcels to increase their yard areas.

Parcel A is 1.3 acres and will be acquired by the present owner of lot Y. Parcel B is 1.4 acres and will be jointed acquired by owners of lots U and V. Both of those lots abut Parcel B and that parcel will be divided among those two property owners by extending their existing joint

ORDER RECEIVED FOR FILING
Date 4/4/96
By M. Nevett



property line. Parcel C, the largest lot to be transferred at approximately 53 acres, will be acquired by the owner of Lot Q.

Section 26-206 of the Baltimore County Code requires the Hearing Officer to first identify open issues and unresolved comments when evaluating the development plan. In this regard, it was indicated by both the Developer's consultants and the County representatives that the plan was largely in compliance with all County regulations, standards and policies. However, there were three minor issues identified which do need resolution.

The first of these relates to the development plan comment offered by the Department of Recreation and Parks. That comment notes, "However, the north branch of the Jones Falls is a master plan designated greenway. We would request an easement to be placed on the plan for public access." (Emphasis added) The Developer observed that the Department of Recreation and Parks' comment was in the manner of a request and not a requirement. Moreover, the Developer's representatives indicated that the allowance of an easement would disrupt the private property rights of the ultimate owner of lot No. 3. It was also noted that the proposed development plan and subdivision will not interfere with public access by means of an offsite route to the public greenway. For these reasons, I will not require that the plan be amended to provide an easement as requested by the Department of Recreation and Parks.

The second issue identified relates to the transfer of Parcel C. This is a large tract which is being conveyed by way of a nondensity transfer to the owner of lot Q. In order to facilitate this transfer, the Developer requested that this Hearing Officer's opinion and Order provide that Parcel C may be transferred prior to the recordation of the record plat for the development for so long as the forest buffer shown on the

ORDER RECEIVED FOR FILING
Date 4/4/96
By M. Nevett



plan is provided. That is, the conveyance of Parcel C will be prior to record plat, however, the record plat will indicate that these buffers will be maintained as part of the approved development plan. This request is appropriate and shall be permitted.

The third issue identified at the hearing was the most contentious. This issue was raised by Wally Lippincott on behalf of DEPRM. As noted in that agency's development plan comment, Mr. Lippincott requests an adjustment to the line of division between lots 4 and 5. Specifically, he requests that the line be altered so as to reflect present farming operations. As shown on the plat, a portion of lots 4 and 5 is occupied by forest buffer and other portions of those lots are used for active farming and agricultural operations. Mr. Lippincott desires that the lot line between these lots reflect the agricultural use, so as to protect and preserve the farming operations.

To a certain extent, Mr. Lippincott's request is at odds with other comments generated by his Department. In this regard, the plan has been prepared so as to reflect a request from DEPRM to preserve the forest buffers. The Petitioner/Developer believes that the placement of the lot line as shown on the plan is correct and appropriate and that the parcel should be subdivided in a manner shown so as to make the lots marketable, while preserving the rural character of the site. In this regard, additional comments were received from the owners of the parcel indicating their plans for the tract. They indicated that there would be no further development of the overall parcel than as shown on the plan. Moreover, it is proposed that all 290 acres of the subject tract will be placed in the Maryland Environmental Trust, or similar program. It is also to be observed that future use of the subject property will be regulated by the BCZR. The property owner, by right, is entitled to develop and utilize

ORDER RECEIVED FOR FILING
Date 4/4/96
By M. Nevett



the parcel for any legitimate purposes defined in those regulations. Moreover, it was requested at the Hearing Officer's hearing that this Order recognize that placement of the tract into an environmental trust program will be accomplished within five years, consistent with the period of validity of the approved development plan.

I will take the property owners/Developer at their word and approve the plan and the configurations presently shown. Although Mr. Wally Lippincott's comments are well taken, a re-configuration of lot lines is not appropriate. This property owner, or subsequent owners, could erect fences anywhere on the site or choose not to farm the existing fields. Although Mr. Lippincott's motives are appropriate, the County's land use regulations cannot mandate specific utilization of privately held property. Relocation of the line of division does by no means ensure that the property will continue to be farmed. On balance, I believe that the plan is appropriate and furthers the goals and spirit of the R.C. zoning classification. Thus, for these reasons, I will approve the plan, as submitted and discussed herein.

Turning to the special hearing relief, it is clear that same should be granted. The nondensity conveyances, as shown on the plan and described above, are appropriate. They do not increase, in any way, the density available to the site or permit additional subdivision. In my judgment, the conveyances and the grant of the special hearing relief will not be detrimental to the health, safety or general welfare of the locale. Thus, the zoning relief, as requested, shall be granted.

Pursuant to the development regulations of Baltimore County, as contained within Subtitle 26 of the Baltimore County Code, the advertising of the property and the public hearing thereon, I will approve the develop-

ORDER RECEIVED FOR FILING
Date 4/4/96
By M. Nevett



ment plan consistent with the comments set forth above and shall so order.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 4th day of April 1996, that the development plan submitted in the within case as Developer/Petitioner's Exhibit No. 1, be and is hereby APPROVED in accordance with the terms and conditions as set forth herein; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval for 3 nondensity transfers from within the subject tract, zoned R.C.2; i.e., the lot designated as Parcel A to be acquired by the owner of lot Y, the lot designated as parcel B to be jointly acquired by the owners of lots U and V, and the lot known as parcel C to be acquired by the owner of lot Q., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Developer shall prepare and submit to Permits and Development Management (PDM), 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 opinion and Order and/or the development plan comments.

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

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 4/4/96
By M. Nevett



Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 3, 1996

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

RE: Development Plan Order
Case No. IV-130 and 96-293-SPH
Project: Caves Farm
Caves Farm Investment Co., Developer/Applicant

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Hearing Officer's Opinion and Development Plan Order and Petition for Special Hearing have 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.
David M. Blum, 34 Caveswood Lane, Owings Mills, 21117
John J. Heyn, 14 Caveswood Lane, Owings Mills, 21117
c: Dave Flowers, Project Manager
c: Various County Agencies

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269

# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

for the property located at E/S Garrison Forest Road, N of Rosewood Lane

96-293-SPH

which is presently zoned RC2

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

three (3)
to allow for non-density transfers in an RC2 zone.
(Parcel A to be acquired by Lot Y without density) 26
(Parcel B to be acquired by Lots U ~~and V~~ without density) and V.
(Parcel C to be acquired by Lot Q without density)
~~(Parcel D to be acquired by Lot A without density)~~

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

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

Contract Purchaser/Lessee:
Howard D. Wolfe, Jr.
(Type or Print Name)
Signature
c/o New Enterprise Associates
1119 St. Paul Street
Address
Baltimore, Maryland 21202
City State Zipcode

Legal Owner(s):
Caves Farm Investment Company
(Type or Print Name)
By: Leonard Farbman
Signature Leonard Farbman, Partner
(Type or Print Name)
Signature
c/o Nardone Pridgeon Company
600 Baltimore Avenue, Suite 205
Address Phone No
Towson, Maryland 21204
City State Zipcode
Name, Address and phone number of representative to be contacted.

Attorney for Petitioner:
Robert A. Hoffman, Esquire
(Type or Print Name)
Signature Venable, Baetjer & Howard, LLP
210 Allegheny Avenue 494-6262
Address Phone No
Towson, Maryland 21204
City State Zipcode

Robert A. Hoffman, Esquire
Name 210 Allegheny Avenue
Towson, Maryland 21204 494-6262
Address Phone No.

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING 2 HRS.
unavailable for Hearing
the following dates Next Two Months
ALL other
REVIEWED BY: DATE 1/11/96

PATTON
Patton Consultants Ltd. Engineering & Site Planning

96-293-SPH 269

ZONING DESCRIPTION
CAVES FARM

Beginning at a point on the north side of Caves Road said point being 25 feet ± from the center line and 1600 feet ± east of the center line of Caves Wood Lane. Thence the following courses and distance.

| | | |
|---|---|---|
| 1. | N 58° 20′ 00″ E - | 48.78′ |
| 2. | N 56° 07′ 40″ W - | 160.99′ |
| 3. | N 60° 08′ 40″ W - | 144.98′ |
| 4. | N 42° 59′ 40″ W - | 191.11′ |
| 5. | N 25° 50′ 40″ W - | 254.43′ |
| 6. | N 25° 00′ 20″ W - | 177.32′ |
| 7. | N 23° 25′ 20″ W - | 211.41 |
| 8. | N 76° 52′ 40″ E - | 246.94′ |
| 9. | N 76° 52′ 00″ E - | 240.90′ |
| 10. | N 18° 11′ 00″ W - | 1018.85′ |
| 11. | S 78° 00′ 00″ W - | 608.80′ |
| 12. | N 23° 43′ 00″ W - | 449.90′ |
| 13. | N 77° 32′ 00″ W - | 1078.60′ |
| 14. | N 29° 31′ 00″ W - | 1591.30′ |
| 15. | S 77° 27′ 00″ W - | 464.00′ |
| 16. | S 12° 09′ 00″ E - | 1424.80′ |
| 17. | S 11° 51′ 00″ E - | 697.70′ |
| 18. | S 84° 18′ 01″ W - | 2468.80′ |
| 19. | S 78° 26′ 01″ W - | 285.40′ |
| 20. | S 86° 48′ 00″ W - | 1537.80′ |
| 21. | S 45° 47′ 00″ W - | 45.00′ |
| 22. | S 30° 20′ 02″ E - | 261.70′ |
| 23. | S 59° 09′ 58″ W - | 197.10′ |
| | to the east side of Garrison Forest Drive | |
| 24. | S 30° 09′ 00″ E - | 120.57′ |
| | along east side of Garrison Forest Drive | |
| 25. | N 48° 02′ 33″ E - | 803.81′ |
| 26. | N 78° 26′ 01″ E - | 1223.78′ |
| 27. | N 84° 18′ 01″ E - | 81.96′ |
| 28. | S 09° 15′ 05″ E - | 2922.78′ |
| 29. | S 63° 05′ 00″ E - | 546. 00′ |
| 30. | S 62° 42′ 00″ E - | 517.88′ |

305 West Chesapeake Avenue, Suite 113, Towson, Maryland 21204
410-296-2140 Fax 410-296-0449

96-293-SPH

CAVES FARM
ZONING DESCRIPTION
CONTINUED

| | | |
|---|---|---|
| 31. | N 50° 07′ 00″ E - | 435.21′ |
| 32. | S 12° 04′ 00″ E - | 406.36′ |
| 33. | N 16° 19′ 50″ E - | 1372.07′ |
| 34. | N 50° 46′ 00″ E - | 692.95′ |
| 35. | N 45° 00′ 00″ E - | 438.00′ |
| 36. | N 27° 37′ 00″ E - | 138.00″ |
| 37. | N 56° 12′ 12″ E - | 863.57′ |
| 38. | N 70° 10′ 40″ E - | 92.00′ |
| 39. | S 42° 19′ 50″ E - | 634.29′ |
| 40. | S 26° 27′ 40″ E - | 94.10′ |
| 41. | S 43° 12′ 00″ E - | 111.47′ |
| 42. | N 72° 49′ 40″ E - | 165.90′ |
| 43. | N 36° 02′ 00″ E - | 267.17′ |
| 44. | N 61° 07′ 00″ E - | 102.10′ |
| 45. | S 88° 23′ 00″ E - | 140.82′ |
| 46. | S 16° 17′ 30″ E - | 211.77′ |
| 47. | N 69° 16′ 00″ E - | 283.11′ |
| 48. | S 25° 50′ 40″ E - | 254.80′ |
| 49. | S 42° 59′ 40″ E - | 220.59′ |
| 50. | S 60° 08′ 40″ E - | 143.23′ |
| 51. | S 56° 07′ 40″ E - | 138.15′ |

To the place of beginning, containing 290 acres ± per deeds

96-293-SPH

ZONING DESCRIPTION
FOR LOT "Y" AS REFERENCED ON ZONING PLAT
FOR CAVES FARM

Beginning at a point on the center line of Caves Road and on the westerly side of Tuttle Farm Road. Said point being 1600′ ± east of the centerline of Caveswood Lane. Thence the following courses and distances.

| | | |
|---|---|---|
| 1. | S 56° 07′ 40″ E | 138.15′ |
| 2. | S 60° 08′ 40″ E | 143.23′ |
| 3. | S 42° 59′ 40″ E | 220.59′ |
| 4. | S 25° 50′ 40″ E | 254.80′ |
| 5. | N 69° 16′ 00″ E | 283.11′ |
| 6. | S 16° 17′ 30″ E | 82.31′ |
| 7. | S 22° 01′ 10″ E | 606.95′ (To center line of Caves Road) |
| 8. | N 69° 24′ 00″ E | 507.29′ Along Center Line of Caves Road |
| 9. | N 58° 20′ 00″ E | 46.62′ |

To the place of beginning, containing 5.84 acres ± per deeds.

96-293-SPH

ZONING DESCRIPTION
FOR LOT "Q" AS REFERENCED ON ZONING PLAT
FOR CAVES FARM

ZONING DESCRIPTION FOR: 26 Caveswood Lane

Election District: 4 Councilmanic District: 3

Beginning at a point on the northwesterly side of Caveswood Lane which is 50′ wide at a distance of 1880′ ± N.W. of the centerline of the nearest improved intersecting street, Caves Road, which is variable in width. Being Lot #4, Block N/A, Section "B" in the subdivision of Caveswood as recorded in Baltimore County Plat Book #20, Folio #28, containing 1.90 ± Acres.

96-293-SPH

ZONING DESCRIPTION
FOR LOT "U" AS REFERENCED ON ZONING PLAT
FOR CAVES FARM

ZONING DESCRIPTION FOR: 34 Caveswood Lane

Election District: 4 Councilmanic District: 3

Beginning at a point on the north side of Caveswood Lane which is 50′ wide at a distance of 1130′ ± N.W. of the centerline of the nearest improved intersecting street, Caves Road, which is variable in width. Being Lot #8, Block N/A, Section "B" in the subdivision of Caveswood as recorded in Baltimore County Plat Book #20, Folio #28, containing 1.90 ± Acres.

96-293-SPH
7HH IV-130

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 4th Date of Posting
Posted for: Development Plan Hearing and Special Hearing
Petitioner: Caves Farm Investment
Location of property: E/S Garrison Forest Rd., N of Rosewood Ln
Location of Signs:
Remarks:
Posted by Signature Date of return:
Number of Signs:

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: #96-293-SPH
(Item 269)
N/S Caves Road, 25'+/- of centerline (and) 1600'+/- E of c/l Caves Wood Lane
Caves Farm
1st Election District
3rd Councilmanic
Legal Owner(s):
Caves Farm Investment Company
Contract Purchaser:
Howard D. Wolfe, Jr.
Special Hearing: to allow three non-density transfers.
Hearing: Wednesday, March 20, 1996 at 9:00 a.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3391.
(2) For information concerning the File and/or Hearing, Please Call 887-3391.

3/220 Feb. 22 C329395

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/22, 1996

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 2/22, 1996.

THE JEFFERSONIAN,
A. Henrickson
LEGAL AD. - TOWSON

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

By JLL 1/11/96
No. #269 016576

DATE 1/11/96 ACCOUNT R001 6150
AMOUNT $ 270.00
RECEIVED VPH
FROM: E/S Garrison Forest Rd. N of Rosewood Ln
FOR: SPH for 4 non-RD lots, 5 non-RD lots 270.00
Zoning Verification 10.00
Total: $280.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Department of Permits and
Development Management

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

96-293-SPH

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

---

For newspaper advertising:
Item No.: 269 Petitioner: Caves Farm Investment Co.
Location: E/S Garrison Forest Road, N of Rosewood Lane

PLEASE FORWARD ADVERTISING BILL TO:
NAME: Barbara W. Ormord, Legal Assistant
ADDRESS: 210 Allegheny Avenue
Towson, MD 21204
PHONE NUMBER: 494-6261

Printed with Soybean Ink on Recycled Paper



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TO: PATUXENT PUBLISHING COMPANY
February 22, 1996 Issue - Jeffersonian

Please foward billing to:

Barbara W. Ormord
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, MD 21204
494-6201

---

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: 96-293-SPH (Item 269)
N/S Caves Road, 25'+/- of centerline (and) 1600'+/- E of c/l Caves Wood Lane
Caves Farm
4th Election District - 3rd Councilmanic
Legal Owner: Caves Farm Investment Company
Contract Purchaser: Howard D. Wolfe, Jr.

Special Hearing to allow three non-density transfers.

HEARING: WEDNESDAY, MARCH 20, 1996 at 9:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County
Department of Permits and
Development Management

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

February 14, 1996

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:

DEVELOPMENT PLAN HEARING
Project Name: Caves Farm
Project Number: IV-130
Location: E/S Garrison Forest Road, N of Rosewood Lane
Acres: 290
Developer: Caves Farm Investment Co./Wardcone Pridgeco Co.
Proposal: 5 single family dwelling

and

CASE NUMBER: 96-293-SPH (Item 269)
N/S Caves Road, 25'+/- of centerline (and) 1600'+/- E of c/l Caves Wood Lane
Caves Farm
4th Election District - 3rd Councilmanic
Legal Owner: Caves Farm Investment Company
Contract Purchaser: Howard D. Wolfe, Jr.

Special Hearing to allow three non-density transfers.

HEARING: WEDNESDAY, MARCH 20, 1996 at 9:00 a.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: Caves Farm Investment Company
Howard D. Wolfe, Jr.
Robert A. Hoffman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County
Department of Permits and
Development Management

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

March 14, 1996

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 269
Case No.: 96-293-SPH
Petitioner: Caves Farm Investment

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 29, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
February 21, 1996

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #269 - Caves Farm REVISED
Garrison Forest Road
Zoning Advisory Committee Meeting of February 12, 1996

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

Ground Water Management & Environmental Impact Review

Concept Plan comments dated June 12, 1995 apply to this site.

Agricultural Preservation Program

Nondensity transfer of Parcel C raises concerns as does the larger subdivision for the impact of the proposed lot lines on the agricultural resources. Although Parcel C is large and does not retain density, one of the lot lines divides prime and productive soil areas in such a way as to limit its potential agricultural uses. The nondensity transfer can be supported if it is reconfigured in a manner similar to that shown on the attached drawing.

*Although not part of the hearing*, similar comments apply to the subdivision of Lots 4 and 5. The proposed lot lines for these two lots divide several fields in such a way as to reduce the potential for agricultural uses.

JLP:TE:WL:sp

CAVES/DEPRM/TXTSBP

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BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Jan. 26, 1996
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for January 29, 1996
Item No. 269

The Development Plans Review Division has reviewed the subject zoning item. The plan as submitted, indicated only three parcels (A, B & C) to be transferred without density. Your proposed zoning request, "a Special Hearing to allow four non-density transfers" does not agree with the plan. Please clarify the descrepancy and submit a revised plan.

RWB:sw

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BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: January 29, 1996

FROM: Arnold F. 'Pat' Keller, III, Director, PO

SUBJECT: Caves Farms

INFORMATION:

Item Number: 269

Petitioner: Caves Farm

Property Size:

Zoning: RC-2

Requested Action: Special Hearing

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

This office will provide combined development plan and zoning comments at the appropriate time.

Prepared by: Jeffrey W. Long

Division Chief: Carl L. Kern

PK/JL

---

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 01/25/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 22, 1996.

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.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:266, 267, 268 AND 269.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

RECEIVED JAN 29 1996 PDM

cc: File

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Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

1-19-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 269 (JLL)

Dear Ms. Watson:

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 affected 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
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
**Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717**
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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Baltimore County
Department of Permits and
Development Management

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

February 8, 1996

96-293-SPH

Robert A. Hoffman, Esquire
Venable, Baetjer, & Howard
210 Allegheny Avenue
Towson, MD 21204

RE: Preliminary Revision Review (Item #269)
Revised Petition for Special Hearing
Legal Owner: Caves Farm Investment Co.

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced revisions were accepted for filing without a final filing review by the staff. The revisions were accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed no unaddressed zoning issues and/or incomplete information. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the $100.00 revision fee.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John L. Lewis
Planner II
Zoning Review

JLL:scj

Enclosure (receipt)

c: Zoning Commissioner

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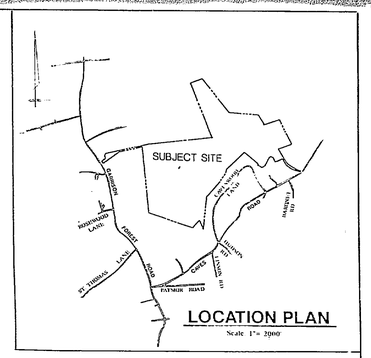
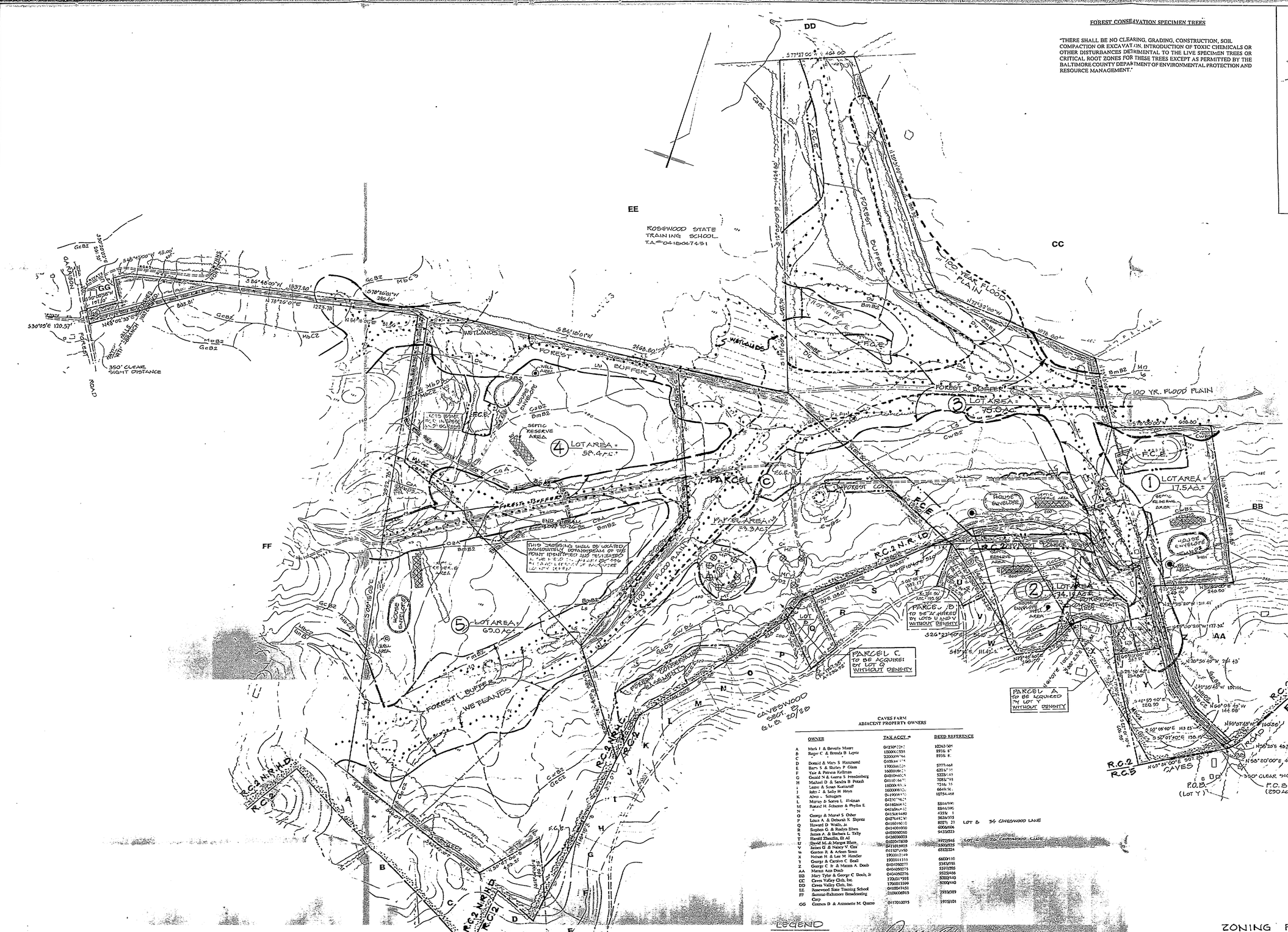
## FOREST CONSERVATION SPECIMEN TREES

"THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION, SOIL COMPACTION OR EXCAVATION, INTRODUCTION OF TOXIC CHEMICALS OR OTHER DISTURBANCES DETRIMENTAL TO THE LIVE SPECIMEN TREES OR CRITICAL ROOT ZONES FOR THESE TREES EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT."




LOCATION PLAN
Scale 1" = 2000'




## GENERAL NOTES

1. OWNER DEVELOPER: CAVES FARM INVESTMENT COMPANY
   C/O NARDONE PRIDGEON COMPANY
   600 BALTIMORE AVENUE
   SUITE 200
   TOWSON, MD. 21204
2. CENSUS TRACT: 4049
3. COUNCILMANIC DISTRICT: 3 ELECTION DISTRICT: 4
4. WATERSHED: 24 SUBSEWERSHED: 61
5. ZONING: RC-2
6. SITE AREA:

| | |
|---|---|
| GROSS AREA | - 290.1 AC± |
| ROAD R/W | - 0 AC± |
| LOT AREA | - 290.1 AC± |
| NET AREA | - 290.1 AC± |

7. THE PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE 1956. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
8. SUBSTANTIALLY ALL OF THE PROPERTY IS LOCATED IN THE NATIONAL REGISTER HISTORIC DISTRICT.
9. ALL UNITS WILL BE FOR SALE.
10. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION, OR DISTURBANCE OF VEGETATION IN THIS FOREST BUFFER EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
11. ANY FOREST BUFFER SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
12. WAIVERS FROM COUNTY REGULATIONS OR STANDARDS ARE HEREBY REQUESTED:
    A) DEPTH ENVIRONMENTAL VARIANCE TO FOREST BUFFER.
    B) NO STORMWATER WILL BE REQUIRED.
13. LOCAL OPEN SPACE WILL NOT BE REQUIRED.
14. THERE ARE NO HAZARDOUS MATERIALS ON SITE TO THE BEST OF OUR KNOWLEDGE AND PER ENVIRONMENTAL RECORDS.
15. ALL OFF-SITE DWELLINGS AND SMALL LOTS OF RECORD (LESS THAN TWO (2) ACRES) THAT CREATE A RTA ON SITE ARE SHOWN WITH THE REQUIRED 150 FOOT DISTANCE DIMENSIONS AND 100 FOOT RTA. (NONE)
16. ALL PAVING WITHIN THE RIGHT-OF-WAYS WILL BE DURABLE DUSTLESS SURFACE (BITUMINOUS CONCRETE).
17. THERE ARE NO LIMITATIONS OF RECORD ESTABLISHED BY THE COURTS, COUNTY BOARD OF APPEALS, PLANNING BOARD, AND ZONING COMMISSIONER OR RESTRICTIVE COVENANTS RECORDED WITH INDIVIDUALS OR GROUPS WHICH WOULD LIMIT PROPOSED DEVELOPMENT ON THE SITE.
18. BY SEPARATE NOTARIZED CERTIFICATION THERE ARE NO KNOWN DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO THE APPLICANT, PERSONS WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.
19. OFF STREET SINGLE FAMILY PARKING SPACES WILL BE A MINIMUM OF 8.5 FEET X 18 FEET EACH.
20. ~~SIDEWALKS WILL BE PROVIDED ON BOTH SIDES OF THE RIGHT-OF-WAY AS SHOWN IN SETBACK REQUIREMENTS DETAILS AND AS REQUIRED BY BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS.~~
21. REFUSE WILL BE COLLECTED BY BALTIMORE COUNTY. EACH DWELLING WILL HAVE INDIVIDUAL CURBSIDE PICKUP. INDIVIDUAL TRASH CANS WILL BE PLACED AT CAVES FORT AND GARRISON FOREST ROAD FOR EQUINITY.
22. SIGNS, IF ANY, WILL COMPLY WITH SECTION 413.1.E (BCZR) AND ALL ZONING SIGN POLICIES, OTHERWISE A ZONING VARIANCE WILL BE REQUIRED.
    350' CLEAR
23. AREAS BETWEEN THE SIGHT LINE AND THE CURB LINE MUST BE CLEARED, GRADED, AND KEPT FREE OF ANY OBSTRUCTIONS.
24. CONCEPT PLAN COMMENTS DATED JUNE 12, 1995 WILL BE COMPLIED WITH, UNLESS SUPERSEDED BY THE DEVELOPMENT PLAN COMMENTS OR HEARING OFFICER'S ORDER.
25. PERC TESTS HAVE BEEN PERFORMED AND APPROVED FOR ALL LOTS FOR THE "HOUSE ENVELOPES" SHOWN.
26. NO ARCHEOLOGICAL SITES OR HISTORIC STRUCTURES EXIST ON THE SITE.
27. SPECIAL HEARING FOR NON-DENSITY TRANSFER APPLIED FOR JANUARY 4, 1996.

## CAVES FARM ADJACENT PROPERTY OWNERS

| | OWNER | TAX ACCT. # | DEED REFERENCE |
|---|---|---|---|
| A | Mark F. & Beverly Moore | 0425012[illegible] | 10262/305 |
| B | Roger C. & Brenda B. Lopez | 1800002535 | 8938/ 8 |
| C | | 2200009766 | 8938/ 8 |
| D | Donald & Mary S. Hammond | 0408[illegible] | |
| E | Barry S. & Shirley P. Glass | 1900006[illegible] | 5777/668 |
| F | Yair & Princess Kellman | 1600006[illegible] | 6274/[illegible] |
| G | Gerald N.E. Gentz & Friedenberg | 0401040[illegible] | 5223/143 |
| H | Michael D. & Sandra B. Potash | 0411046[illegible] | 7082/798 |
| I | Lester & Susan Kumroff | 1600043[illegible] | 7246/ 35 |
| J | John J. & Sally H. Heyn | 1600008[illegible] | 6649/[illegible] |
| K | Alvin L. Schugam | 0419[illegible] | 10754/468 |
| L | Murray & Sonya L. Holzman | 0418[illegible] | |
| M | Ronald H. Schuster & Phyllis E. | 0416060[illegible] | 8844/196 |
| N | | 0416060[illegible] | 8844/196 |
| O | George & Muriel S. Osler | 0415040480 | 4355/ 11 |
| P | Louis A. & Deborah K. Stoutz | 0407048230 | 5626/375 |
| Q | Howard D. Wolfe, Jr. | 0416016010 | 8027/ 21 LOT 5 34 CINDERWOOD LANE |
| R | Stephen G. & Roslyn Stern | 0414001000 | 6006/606 |
| S | James A. & Barbara L. Tully | 0400002000 | 5433/223 |
| T | Harold Zbanffa, III Al | 0416036020 | |
| U | David M. & Margot Blum | 0402045000 | 5972/546 LOT 6 36 CAVEWOOD LANE |
| V | James G. & Nancy V. Cox | 0411019025 | 5303/425 |
| W | Gordon R. & Arleen Sisco | 0415072050 | 6118/224 |
| X | Nelson H. & Lee M. Heindler | 1900012149 | |
| Y | George & Carolyn C. Beall | 1900011331 | 6609/110 |
| Z | George C. Jr. & Mauna A. Doub | 0404050273 | 5343/788 |
| AA | Marcus Ann Doub | 0404050275 | 5597/286 |
| BB | Mary Tyler & George C. Doub, Jr. | 0404050276 | 5525/406 |
| CC | Caves Valley Club, Inc. | 1700013598 | 3000/440 |
| DD | Caves Valley Club, Inc. | 1700013399 | 3000/440 |
| EE | Rosewood State Training School | 0418047451 | |
| FF | Sunrise Baltimore Broadcasting Corp | 2100006915 | 7933/389 |
| GG | Cosmos D. & Antoinette M. Quarto | 0417010075 | 5975/101 |

## SITE DATA

Existing Zoning and Maximum Density Permitted

| Zone | Acres | Units Allowed | Density Units | Units Proposed |
|---|---|---|---|---|
| R.C.2 | 229.1 | 5 | 0 | 5 |
| R.C.5 | 60.0 | 0 | Non-Density | 4 Parcels |
| Total | 290.1 | 5 | 0 | 5 |

* PLUS 4 NON-DENSITY PARCELS TO BE ACQUIRED BY ADJOINING PROPERTY OWNERS.

## SITE DEVELOPMENT PROPOSAL

| Dwelling Type | Proposed Units | Permitted Density Units | Density Units Proposed | Open Space Required | Open Space Proposed | Alternative Density Type | Frontage | Comments |
|---|---|---|---|---|---|---|---|---|
| [illegible] | [illegible] | [illegible] | 0 | 0 | 0 | SB | — | |

| Undeveloped Areas | Acres |
|---|---|
| [illegible] | |
| [illegible] | |
| Total Provided | 0 |

## ADDITIONAL INFORMATION

[illegible]

## OPEN SPACE PROPOSAL

| Local Open Space Type | Acres |
|---|---|
| Active Open Space | 0 |
| Tot Lot | 0 |
| Fitness Course | 0 |
| Amenity Areas | 0 |
| Trails and Boardwalks | 0 |
| Other | 0 |
| Total | N/A |

## LEGEND

EX. CONTOURS
EX. TREES
SPECIMEN TREE
WETLANDS
100 YEAR FLOOD PLAIN
FOREST BUFFER LINE
FOREST CONSERVATION EASMT.
EX. STREAM
SOILS LINE
SEPTIC RESERVE AREA
WELL AREA
HOUSE ENVELOPE

I, [illegible] certify under oath that there are no delinquent accounts for any other development with respect to any of the following: The applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.

PRINTED
FEB 2 1996
PATTON CONSULTANTS, LTD.

ZONING PLAT
DEVELOPMENT PLAN/
FINAL DEVELOPMENT PLAN

# Caves Farms

ELECTION DISTRICT 4C3
SCALE: 1" = 200'

BALTIMORE COUNTY, MD.
DECEMBER 16, 1995

RECEIVED
FEB 9 1996
BALTIMORE COUNTY ZONING

ZADM # IV-130
PATTON

OWNER & DEVELOPER
CAVES FARM INVESTMENT COMPANY
C/O NARDONE PRIDGEON COMPANY
600 BALTIMORE AVE
SUITE 200
TOWSON, MARYLAND 21204

SHEET 1 OF 2