

IN RE: DEVELOPMENT PLAN HEARING and * BEFORE THE
PETITION FOR VARIANCE - NW/S
John F. Kennedy Highway (I-95) and W/S * ZONING COMMISSIONER
Joppa Road and New Gerst Lane
(Baltimore Air Park) * OF BALTIMORE COUNTY
11th Election District
5th Council District * Cases Nos. XI-829 & 00-252-A

Baltimore Aviation Service, Inc., Owner; *
Forge Landing, LLC, Developer

* * * * *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Zoning Commissioner as a combined public hearing, pursuant to Section 26-206.1 of the Baltimore County Code, for consideration of a development plan and Petition for Variance, filed by Baltimore Aviation Service, Inc., Owners, and Forge Landing, L.L.C., Developers. The Owners/Developers seek approval, pursuant to Section 26-206 of the Baltimore County Code, to develop the site with 146 single family dwellings. In addition to development plan approval, zoning relief is sought from the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: 1) From Section 259.9.C.8 to permit a storm water management pond slope ratio of 2:1 in lieu of the required 3:1; 2) from Section 259.9.B.4.e to permit a rear yard setback of 30 feet in lieu of the required 50 feet for the lots listed in Note #4 on the plan; 3) from Section 259.9.B.3 to permit a lot width of 78 feet in lieu of the required 85 feet for the lots listed in Note #5 on the plan; and, 4) from Section 259.9.B.3 to permit a lot width of 84 feet in lieu of the required 85 feet for the lots listed in Note #6. The proposed development and relief requested are more particularly described on the red-lined development plan which was submitted into evidence and marked as Developer's Exhibit 1.

This project has undergone lengthy review and evaluation through the development review process, as codified in Title 26 of the Baltimore County Code, and has significantly evolved through the process. Originally, a concept plan of the proposed development was prepared and a conference held thereon on March 29, 1999. Two community input meetings were

ORDER RECEIVED FOR FILING

Date 6/25/16
By [Signature]

held for the proposal on May 12, 1999 at the Perry Hall Library, and July 28, 1999 at the White Marsh Library. Subsequently, a development plan was submitted and a conference held thereon on September 8, 1999 and a Hearing Officer's Hearing scheduled thereafter for September 30, 1999. The matter was postponed, however, so that additional input and changes could be made to the plan. As a result of these changes, another development plan conference was held on December 29, 1999, and a Hearing Officer's Hearing scheduled for January 20, 2000. That hearing was postponed, however, and subsequently rescheduled and conducted on June 23, 2000.

Appearing at the public hearing required for this project were G. Earle Mace on behalf of Baltimore Aviation Service, Inc., property owner; Anthony Julio, a Member of the Forge Landing, LLC, Developer; Rick Chadsey, Professional Engineer with George W. Stephens, Jr. & Associates, Inc., who prepared the plan; Mickey Cornelius, Traffic Engineer from The Traffic Group, Inc.; and, Howard L. Alderman, Jr., Esquire, attorney for the Owners/Developers. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including Glenn Shaffer on behalf of the Department of Environmental Protection and Resource Management (DEPRM); Jun Fernando, Zoning Review, Bob Bowling, Development Plans Review, Colleen Kelly, Land Acquisition, and Don Rascoe, Project Manager, all representatives of the Department of Permits and Development Management (PDM); Lynn Lanham for the Office of Planning (OP); and, Paul Walsky with the Department of Recreation and Parks (R&P). Appearing as interested persons were Dennis Eckard, who appeared on behalf of the Perry Hall Improvement Association, and Marion E. Barton, a nearby property owner.

The subject property is located in the Honeygo/White Marsh community in eastern Baltimore County and consists of a gross area of 60.96 acres, more or less, split zoned D.R.1H (0.17 acres), D.R.-2H (14.0 acres), and D.R.-3.5 (46.79 acres). To the south and the east, the property abuts the John F. Kennedy Memorial Highway (I-95). To the west, the property will adjoin a new public road to be constructed and connected to Joppa Road. To the south, the property lies adjacent to the Chapel Hill Elementary School, and a proposed residential community which was recently approved by this Hearing Officer, known as Moore's Orchard. To the north, a

large section of the property abuts another new residential subdivision currently under construction, known as Glenside Farms. As more particularly shown on the development plan, Forge Landing, LLC proposes 146 single family dwelling lots. This is less than the 191 lots permitted, pursuant to the zoning density, and a reduction from the number of lots originally proposed. Several different means of access to the site will be provided. As noted above, a road will ultimately be constructed to connect the western property line of the subject site to Joppa Road. To the north, there is a proposed connection via Glen Summit Drive into the Glenside Farms subdivision and a potential link to New Gerst Lane. Two additional means of access will be provided from the south side of the site and the Moore's Orchard property. These connections are in furtherance of the County's goal to provide inter-connecting road systems for new development.

Mr. Chadsey testified and presented the plan. He detailed the overall concept proposed and specifically discussed the red-lined changes to the plan. He also discussed the history of the project and the evolution of the proposal to its current form. As noted above, the proposal provides for less units than permitted under the applicable density regulations, and fewer lots than were originally proposed. Mr. Chadsey also described certain public amenities which will be provided as part of the development. These include a baseball field adjacent to the southern portion of the site for use in conjunction with the existing school. Additionally, an area is being conveyed to Baltimore County for the construction of a water tower on the eastern portion of the site. The plan also shows Homeowners' Association open space and the retention of forest buffer easement and forest conservation reservation areas of approximately 7.66 acres. The details of the project are more particularly shown on the plan.

Pursuant to Section 26-206 of the Baltimore County Code, this Hearing Officer is required to first identify any unresolved agency comments or issues. One such issue raised relates to the termination of an internal road (Street B) on the eastern side of the subject property. Presently, the property is used as a private air strip. Vehicular access to the site is currently by way of a private road which leads into the property from New Forge Road. From its connection at New Forge Road, this road serves not only the subject property, but other adjacent lots,

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By

including the property owned by Ms. Barton. At her request, proposed public Street B (which essentially follows the existing private road) will be closed short of the property line. That is, the plan shows that proposed Street B will terminate within the eastern portion of the site, immediately adjacent to two proposed storm water management facilities. Proposed Street B will be extended to a point sufficient to provide County maintenance vehicles with access to the two storm water management facilities in this area, but will stop short of the property line so that traffic cannot exit the site in that direction. Mr. Bowling indicated that the termination of the road as described above was acceptable to Baltimore County. It is also to be noted that although actual construction of Street B will stop short of the eastern property line, the Developer will dedicate the land and design the road in the event a future connection is warranted.

As a second issue, Mr. Chadsey described the proposed means of access/egress from the property's east side. Presently, Joppa Road in this vicinity suffers from a change in grade which limits sight distance at the point where the proposed access road intersects that street. Based on this condition, it was agreed by the Developer that the ultimate connection to Joppa Road will not be made until such time as the County, through its Capital Improvements Program, corrects the grade of this road. The Developer and the Department of Public Works have agreed to allow the project to proceed without actual connection to Joppa Road. However, ultimately, after the County makes capital improvements to Joppa Road, the Developer will do the work necessary to construct the access road and connect same into Joppa Road.

The third issue was identified by Mr. Shaffer of the Department of Environmental Protection and Resource Management (DEPRM). Mr. Shaffer indicated that new hydraulic studies were necessary for the storm water management facility located near the proposed ball field in the southwest corner of the subject site. The Developer has agreed to submit those studies for DEPRM's review and approval, prior to the recordation of the record plat.

There were no other open issues identified at the hearing which had not been corrected or amended by virtue of the red-lined changes made on the plan. These red-line changes are self-explanatory.

It is to be noted that Mr. Eckard, who appeared on behalf of the Perry Hall Improvement Association, does not oppose the project, and discussed his Association's involvement which resulted in the final version of the plan as now proposed. Additionally, the termination of the road in the eastern portion of the property was a condition requested and supported by Ms. Barton.

Based upon the testimony and evidence presented, it appears that the development plan should be approved. In my judgment, the plan meets all County requirements and complies with all agency comments. It appears that the intent of the Development Review Regulations has been met and that the plan has evolved into a proposal that is supported by both the County and the community.

In addition to development plan approval, zoning relief is also requested as outlined above. As to the storm water management ponds, Mr. Chadsey testified that their location and the environmental constraints associated therewith justify an alteration of the slope ratio requirements. Mr. Chadsey also explained the need for the other variances requested which relate to rear yard setbacks and lot widths. He indicated that in order to maintain a fluid and appropriate road network, certain rear yard setbacks proposed were slightly less than required. Also contributing to this variance request was the irregular shape of the property.

As to the lot widths, some of the proposed lots are 84 feet wide, 1 foot less than the required 85 feet, and others are 78 feet wide. Many of these lots are corner lots or pie-shaped lots which necessitate variance relief from this standard. Mr. Chadsey also indicated that all of the proposed dwellings will feature side-loaded garages and that the project meets the heightened Honeygo design requirements. He also indicated that all variance requests were internal to the property and that the relief requested met the requirements of Section 307 of the B.C.Z.R. and the case law.

Based upon the testimony and evidence offered, I am persuaded to grant the variance relief. Mr. Chadsey's testimony was credible and not disputed nor opposed.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved and the Petition for Variance granted, consistent with the comments contained herein and the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this 28th day of June, 2000 that the development plan for Baltimore Air Park, identified herein as Developer's Exhibit 1, be and is hereby APPROVED: and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: 1) From Section 259.9.C.8 to permit a storm water management pond slope ratio of 2:1 in lieu of the required 3:1; 2) from Section 259.9.B.4.e to permit a rear yard setback of 30 feet in lieu of the required 50 feet for the lots listed in Note #4 on the plan; 3) from Section 259.9.B.3 to permit a lot width of 78 feet in lieu of the required 85 feet for the lots listed in Note #5 on the plan; and, 4) from Section 259.9.B.3 to permit a lot width of 84 feet in lieu of the required 85 feet for the lots listed in Note #6, in accordance with Developer's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The paving for proposed Street B will terminate at a point adjacent to the two storm water management facilities in the eastern portion of the site. Street B will be constructed to provide County maintenance vehicles with access to these storm water management facilities, but will stop short of the eastern property line so that traffic cannot exit the site from that direction. The Developer will provide the necessary land dedication and construction drawings for the road to accommodate eventual construction.
- 2) The connection of proposed Street A to Joppa Road will not be made until such time as the County, through its Capital Improvements Program, corrects the grade of Joppa Road. Upon the County's completion of their capital improvements to Joppa Road, the Developer will complete the work necessary to construct/connect the access road and connect same to Joppa Road.

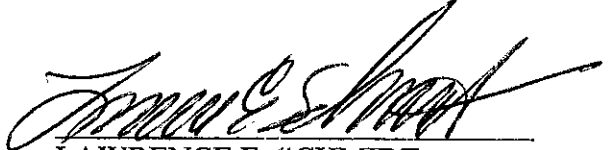
ORDER RECEIVED FOR FILING

Date

By

- 3) Prior to the recordation of the record plat, the Developer shall submit for review and approval by DEPRM, hydraulic studies for the storm water management facility located near the proposed ball field in the southwestern corner of the property.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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



LAWRENCE E. SCHMIDT
Zoning Commissioner/Hearing Officer
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 6/28/11
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 28, 2000

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
305 West Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING & PETITION FOR VARIANCE
N/S Joppa Road at end of New Gerst Lane; W/S JFK Highway (I-95)
(Baltimore Air Park)
11th Election District – 6th Council District
Baltimore Aviation Service Inc., Owners; Forge Landing LLC, Developer
Case Nos. XI-829 & 00-252-A

Dear Mr. Alderman:

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

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

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Earl Mace, Baltimore Aviation Service, Inc.
P.O. Box 89, New Forge Road, White Marsh, Md. 21162
Mr. Anthony Julio, Forge Landing, LLC, 9640 Deereco Road, Timonium, Md. 21093
Mr. Rick Chadsey, G. W. Stephens, Jr. & Associates, Inc.
658 Kenilworth Drive, Suite 100, Towson, Md. 21204
Mr. David Marks, Perry Hall Improvement Assoc., P.O. Box 63, Perry Hall, Md. 21128
Mr. Dennis Eckard, 39 Bangert Avenue, Perry Hall, Md. 21128
Ms. Marion E. Barton, 3802 Wean Drive, Unit F, Baltimore, Md. 21236
Don Rascoe, PDM; Bob Bowling, PDM; DEPRM; OP; R&P; People's Counsel; Case Files

★ Census 2000

★ For You, For Baltimore County

★ Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Baltimore Air Park

which is presently zoned DR-1H; DR-2H; DR-3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

259.9C.8; 259.9B.4.E; 259.9B.3

See attached, Variance Requests Nos. 3 - 6

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

See attached.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Anthony Julio, Member, Forge Landing, LLC
Name - Type or Print

Signature

9640 Deereco Road

Address

4106661000
Telephone No.

Timonium

Maryland

21093

City

State

Zip Code

Attorney For Petitioner:

Howard L. Alderman, Jr.

Name - Type or Print

Signature

Levin & Gann, P.A.

Company

305 W. Chesapeake Avenue, #113

Address

410-321-0600
Telephone No.

Towson

Maryland

21204

City

State

Zip Code

Legal Owner(s):

Earl Mace, Baltimore Aviation Service, Inc.
Name - Type or Print

Signature

Name - Type or Print

Signature

New Forge Road, P.O. Box 89

Address

410-256-1200
Telephone No.

White Marsh

Maryland

21162

City

State

Zip Code

Representative to be Contacted:

Anthony Julio, Member, Forge Landing, LLC
Name

9640 Deereco Road

Address

4106661000
Telephone No.

Timonium

Maryland

21093

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By JRF

Date 12/15/99

Case No. 00-252-A

220 9/15/98

ORDER RECEIVED FOR FILING

Date

By

PETITION FOR VARIANCE

CASE NO: _____

Address: Baltimore Air Park

Legal Owners: Baltimore Aviation Service, Inc.

Present Zoning: DR-1H; DR-2H; and DR3.5H

REQUESTED RELIEF:

A variance from: i) BCZR § 259.9.C.8. to permit stormwater management pond slopes of 2:1 in lieu of the 3:1 maximum; ii) BCZR § 259.9.B.4.e to permit a 30 foot rear setback in lieu of the required 50 foot setback on the Lots identified in Note No. 4 as shown more particularly on the Plat to Accompany this Petition; iii) BCZR § 259.9.B.3 to permit a 78 foot lot width in lieu of the required 85 foot lot width on the Lots identified in Note No. 5 as shown more particularly on the Plat to Accompany this Petition; and iv) BCZR § 259.9.B.3 to permit a 84 foot lot width in lieu of the required 85 foot lot width on the Lots identified in Note No. 6 as shown more particularly on the Plat to Accompany this Petition

JUSTIFICATION:

1. Irregular shape of the property;
2. The topography of the property;
3. The change in bulk requirements after the filing of the concept plan; and
4. For such further reasons as will be presented at the time of the hearing held on this petition.

FOR ADDITIONAL INFORMATION CONTACT:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
305 W. Chesapeake Avenue
Suite 113
Towson, Maryland 21204

(410) 321-0600
Fax: (410) 296-2801
halderma@bcpl.net

ORDER RECEIVED FOR FILING

Date

By

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS
1020 CROMWELL BRIDGE ROAD • TOWSON, MARYLAND 21286-3396

Description to Accompany
Petition for Zoning Variances

DATE: November 17, 1999
Page -1-

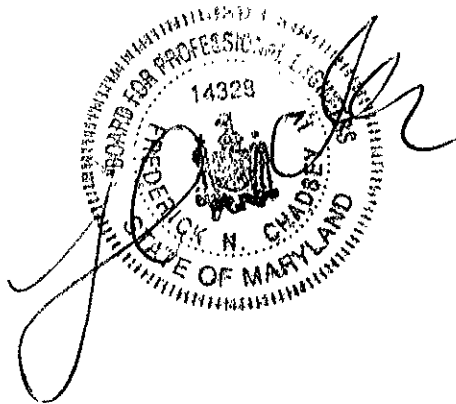
Beginning at a point on the westerly side of a 40-foot wide Perpetual Easement for Outlet Ditch owned by the State Roads Commission, said Perpetual Easement abuts the westerly right-of-way of I-95, said point also being the southeasterly corner of the plat of "Section B Forge Heights" recorded among the Land Records of Baltimore County Liber 24 Folio 71, said point being South 45 degrees 36 minutes 29 seconds West 2008.36 feet more or less, from a point formed by the intersection of the centerlines of Winkler Street and Airport Drive, running thence leaving said point of beginning, along the following 22 courses.

1. Along said 40-foot wide Perpetual Easement for Outlet Ditch owned by the State Roads Commission, South 46 degrees 01 minutes 27 seconds West 804.26 feet,
2. Leaving said 40-foot wide Perpetual Easement for Outlet Ditch owned by the State Roads Commission, North 67 degrees 38 minutes 09 seconds West 236.18 feet,
3. South 33 degrees 36 minutes 51 seconds West 292.78 feet,
4. North 84 degrees 47 minutes 33 seconds West 619.17 feet,
5. South 05 degrees 01 minutes 59 seconds West 40.00 feet,
6. North 84 degrees 58 minutes 01 seconds West 691.10 feet,
7. South 81 degrees 17 minutes 50 seconds West 666.20 feet,
8. South 30 degrees 21 minutes 18 seconds West 85.79 feet,
9. South 80 degrees 01 minutes 07 seconds West 722.65 feet,
10. South 30 degrees 20 minutes 22 seconds West 286.26 feet,
11. North 79 degrees 55 minutes 45 seconds West 489.18 feet,
12. North 01 degrees 04 minutes 42 seconds East 618.06 feet, to a point on the southerly right-of-way of New Gerst Lane,
13. Continuing along said southerly right-of-way of New Gerst Lane, along a curve to the right having a radius of 500.00 feet for an arc length of 20.85 feet, said curve being subtended by a chord North 83 degrees 39 minutes 56 seconds East for a distance of 20.85 feet,
14. Leaving said southerly right-of-way of New Gerst Lane along the easterly boundary of the "Mace Property", recorded among the Land Records of Baltimore County Liber 54 Folio 20, South 10 degrees 04 minutes 18 seconds West 302.00 feet, to a point at the southwesterly corner of said plat of "Mace Property",
15. Continuing along the southerly boundary of the "Mace Property", recorded among the Land Records of Baltimore County Liber 54 Folio 20, North 79 degrees 19 minutes 58 seconds East 497.00 feet
16. North 75 degrees 04 minutes 06 seconds East 281.73 feet, to a point at the southeasterly corner of the "Mace Property", recorded among the Land Records of Baltimore County Liber 54 Folio 20,
17. Running along the easterly boundary of the "Mace Property", recorded among the Land Records of Baltimore County Liber 54 Folio 20, North 05 degrees 01 minutes 32 seconds East 89.58 feet, to the northeasterly corner of the aforementioned plat,

18. Leaving said plat of the "Mace Property", recorded among the Land Records of Baltimore County Liber 54 Folio 20, South 84 degrees 55 minutes 40 seconds East 471.68 feet,
19. North 25 degrees 14 minutes 37 seconds East 396.64 feet
20. South 85 degrees 49 minutes 24 seconds East 778.46 feet,
21. North 30 degrees 54 minutes 06 seconds East 1153.83 feet, to a point on the southerly boundary of the plat "Section B Forge Heights" recorded among the Land Records of Baltimore County Liber 24 Folio 71,
22. Running along said southerly boundary of "Section B Forge Heights" recorded among the Land Records of Baltimore County Liber 24 Folio 71, South 64 degrees 16 minutes 37 seconds East 1670.62 feet, to the point of beginning.

Containing 60.96 Acres of land more or less.

Note: The above description is for zoning purposes only and is not to be used for contracts, conveyances or agreements.



**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00- 252 -A

Petitioner: Baltimore Aviation Service, Inc.

Address or Location: Baltimore Air Park

PLEASE FORWARD ADVERTISING BILL TO:

Name: Forge Landing, LLC

Address: c/o Mr. Anthony Julio

9640 Deereco Road

Timonium, Maryland 21093

Telephone Number: 410-666-1000

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **076694**

DATE 12-15-99 ACCOUNT E-001-0150

AMOUNT \$ 650.00

RECEIVED FROM: Baltimore Air Park

FOR: City Variance ITEM # 252
Tolson bill JRF

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT
7610 (CLERK)
DATE 12/15/99 12/15/99 15.00
RES 1005 CASHIER 1015 1015 1015
1015 5 500 DURING RECEPTION
RECEIPT # 1011 1011
OF 101 076694
1011 1011 1011
1011 1011 1011
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF PUBLICATION

TOWSON, MD, 1-6, 2000

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 1-6, 2000.

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows

Case: #00-252-A

N of Joppa Road between New Gerst Lane and Forge Hill
(Baltimore Air Park)

11th Election District — 5th Councilmanic District

Legal Owner(s): Baltimore Aviation Service, Inc.

Contract Purchaser: Forge Landing, LLC

Variance: to permit a 30-foot rear setback in lieu of the required 50-foot setback on the lots identified; to permit a 78-foot lot width in lieu of the required 85-foot lot width on the lots identified; and to permit an 84-foot lot width in lieu of the required 85-foot lot width on the lots identified.

Hearing: Thursday, January 20, 2000 at 9:00 a.m. in Room 106, County Office Building, 117 West Chesapeake Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391

1/029 Jan. 6

C361458

 THE JEFFERSONIAN,

LEGAL ADVERTISING

CERTIFICATE OF POSTING

**RE: CASE #00-252-A
PETITIONER/DEVELOPER
(Baltimore Air Park)
DATE OF Hearing
(Jan 20, 2000)**

**Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

**This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
On Winkler Str., New Gerst Road at Joppa Road & Forge Hill Road Baltimore,
Maryland 21128**

**The sign(s) were posted on _____ 1-5-00 _____
(Month, Day, Year)**

Sincerely,


(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

**_____ (410)-687-8405 _____
(Telephone Number)**

RECEIVED JAN 10 2000

RE: PETITION FOR VARIANCE
Baltimore Air Park, N of Joppa Rd between
New Gerst Ln and Forge Hill
11th Election District, 5th Councilmanic

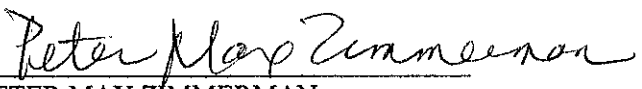
Legal Owner: Baltimore Aviation Service, Inc.
Contract Purchaser: Forge Landing, Inc.
Petitioner(s)

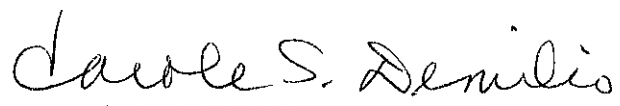
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-252-A

* * * * *

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
People's Counsel for Baltimore County


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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of December, 1999 a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esq., Levin & Gann, 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioners.


PETER MAX ZIMMERMAN

RECEIVED JAN 13 2000



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

December 22, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

HEARING OFFICER HEARING

PROJECT NAME: Baltimore Air Park

Project Number: 11-829

Location: N of Joppa Road between New Gerst lane and Forge Hill

Acres: 60.96

Developer: Forge Landing, LLC

Engineer: G.W. Stephens, Jr., Inc.

Proposal: 147 Single Family Lots

***** AND *****

CASE NUMBER: 00-252-A

N of Joppa Road between New Gerst Lane and Forge Hill (Baltimore Air Park)

11th Election District – 5th Councilmanic District

Legal Owner: Baltimore Aviation Service, Inc.

Contract Purchaser: forge Landing, LLC

Variance to permit a 30-foot rear setback in lieu of the required 50-foot setback on the lots identified; to permit a 78-foot lot width in lieu of the required 85-foot lot width on the lots identified; and to permit an 84-foot lot width in lieu of the required 85-foot lot width on the lots identified.



HEARING OFFICER HEARING

PROJECT NAME: Baltimore Air Park

CASE NUMBER: 00-252-A

N of Joppa Road between New Gerst Lane and Forge Hill (Baltimore Air Park)

NOTICE OF ZONING HEARING

Page 2

HEARING: Thursday, January 20, 2000 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a stylized "SJ" monogram to the right.

Arnold Jablon
Director

c: Howard Alderman, Jr., Esquire, 305 W. Chesapeake Ave., Towson 21204
Balto. Aviation Service, PO Box 89, New Forge Road, White Marsh 21162
Forge Landing, 9640 Deereco Road, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JANUARY 5, 2000**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 6, 2000 Issue – Jeffersonian

Please forward billing to:

Forge Landing, LLC
c/o Mr. Anthony Julio
9640 Deereco Road
Timonium, MD 21093

410-666-1000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-252-A

N of Joppa Road between New Gerst Lane and Forge Hill (Baltimore Air Park)

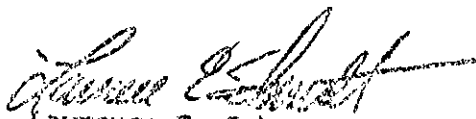
11th Election District – 5th Councilmanic District

Legal Owner: Baltimore Aviation Service, Inc.

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Variance to permit a 30-foot rear setback in lieu of the required 50-foot setback on the lots identified; to permit a 78-foot lot width in lieu of the required 85-foot lot width on the lots identified; and to permit an 84-foot lot width in lieu of the required 85-foot lot width on the lots identified.

HEARING: Thursday, January 20, 2000 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue



Lawrence E. Schmidt SC

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

January 13, 2000

Mr. Howard L. Alderman
Levin & Gann PA
305 W. Chesapeake Avenue
Towson MD 21204

Dear Mr. Alderman:

RE: Case Number 00-252-A , Baltimore Air Park

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 15, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

c:



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED JAN 10 2000

TO: Arnold Jablon
FROM: R. Bruce Seeley /RBS
DATE: January 5, 2000
SUBJECT: Zoning Item #252
Baltimore Air Park

Zoning Advisory Committee Meeting of December 27, 1999

- _____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- _____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X 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 (Sections 14-331 through 14-350 of the Baltimore County Code).
- _____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- _____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
- X Please refer to the attached Memorandum from Glenn Shaffer.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND RESOURCE MANAGEMENT
INTEROFFICE CORRESPONDENCE

TO: R.Bruce Seeley
Development Coordination

DATE: January 3, 2000

FROM: Glenn Shaffer
Environmental Impact Review

SUBJECT: Baltimore Air Park Zoning Petition
(Zoning Item #252)

Environmental Impact Review (EIR) received the subject zoning petition on January 3, 2000 for review and comment. EIR has no comments on the requested zoning setback variances for any lots not abutting Forest Buffer or Forest Conservation Easements. Moreover, EIR supports the variance to allow 2:1 SWM side slopes in lieu of the required 3:1.

However, the plan accompanying the zoning petition has not been approved by EIR. It does not reflect either the major revisions required by EIR during the development plan review process or any revisions that may be required as a result of the relief cited in notes 1 and 2 on this plan. Moreover, the requested variance from DEPRM has not been granted and would not be granted as proposed in note 1 on the subject plan.

If there are any questions regarding these comments, please contact me at extension 3980.



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 1.5.00

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

RE: Baltimore County
Item No. 252 JRF
RECEIVED JAN 06 2000

Dear Ms Stephens:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

to Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: December 29, 1999

RECEIVED JAN 10 2000

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Baltimore Air Park

INFORMATION:

Item Number: 252

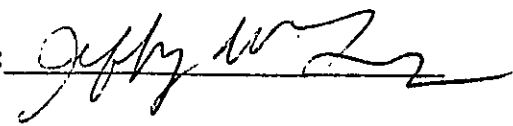
Petitioner: Forge Landing, Inc

Zoning: DR 1H, DR 2H, DR 3.5H

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The attached development plan comments, in their entirety, reflect the position of the Office of Planning regarding the appropriateness of the requested variances.

Section Chief: 

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: January 6, 2000

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for January 3, 2000
Item Nos. 245, 246, 247, 248, 249,
250, 251, (252) 253, 254, 255, 256,
257, 259, and 261

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DEVELOPMENT PLAN CONFERENCE

TO: Arnold Jablon, Director - Department of Permits & Development Management

FROM: Arnold F. 'Pat' Keller, III, Director - Office of Planning

DATE: December 29, 1999

PROJECT NAME: Baltimore Air Park

PROJECT NUMBER: XI-829

PROJECT PLANNER: Carol McEvoy

GENERAL INFORMATION:

Applicant Name: Baltimore Aviation Service, Inc.
New Forge Road P.O. Box 89
White Marsh, MD 21162

Location: N of Joppa Rd between New Gerst Lane & Forge Hill

Councilmanic District: 5th

Growth Management Area: Growth Area -- White Marsh

Zoning: DR 1H, DR 2H, DR 3.5H

Acres: 60.96± acres

Surrounding Zoning and Land Use:

North:	DR 1H, DR 2H	Residential, Single Family Detached
South:	DR 3.5H	Unimproved Forest/Farm Land and I-95
East:	DR 2H, DR 3.5H	I-95
West:	DR 3.5H	Residential, Single Family Detached

Project Proposal:

The applicant proposes 147 single family detached homes on 60.96± acres of land zoned DR 1 (0.17± acre), DR 2 (14.0± acres) and DR 3.5 (46.79± acres). The site contains slopes greater than 25% and wetlands. Various buildings servicing the airport are to be removed. Local open space of 14.27± acres is proposed.

Other Anticipated Actions and Additional Review Items:

- | | | |
|--|---|--|
| ☐ Special Exception | ☐ Special Hearing | ☐ PUD |
| ☒ Variance | ☐ Compatibility | ☐ Design Review Panel |
| ☒ Waiver | ☐ Scenic Route | ☐ Other |
| ☐ RTA Modification | ☐ Referral to Planning Board | |

MEETINGS:

1 st Concept Plan Conference	<u>03/29/99</u>	Community Input Meeting	<u>05/12/99</u>
2 nd Concept Plan Conference	<u>06/14/99</u>	2nd Community Input Meeting	<u>07/28/99</u>
1 st Development Plan Conference	<u>09/08/99</u>	1 st Hearing Officer's Hearing	<u>09/30/99</u>
2 nd Development Plan Conference	<u>12/29/99</u>	2 nd Hearing Officer's Hearing	<u>01/20/00</u>
Planning Board			

RECOMMENDATION**DEVELOPMENT PLAN**

The Office of Planning has reviewed the Development Plan for conformance with Concept Plan comments of March 29, 1999 and Development Plan comments of September 8, 1999 and finds that additional review materials requested previously have not been submitted. Therefore, the Office of Planning cannot recommend Development Plan approval at this time. The following listing should be addressed to allow evaluation of the plan in relation to the Honeygo Overlay District regulations of the BCZR and the Honeygo District Design Guidelines.

1. The plan should note the following:

Noise mitigation regulations approved July 29, 1999 as PDM Policy X of the Code of Baltimore County Regulations apply to concept plans filed after June 30, 1999; therefore, this development is exempt from the provisions of PDM Policy X.

2. In meetings with the Office of Planning, all garages were proposed as side entry. Please note the same on the plan and provide a typical detail for corner lots.
3. Submit schematic building elevations and plan views illustrating that site and building design are in compliance with the requirements of the Honeygo Regulations and the Honeygo Design Guidelines.
 - a. Incorporate building elements like dormers, gables, hip roofs, overhangs, porches, and double-hung windows.
 - b. Chimneys, dormers, windows, shutters, and other architectural elements should be used to add interest on sides and corner units.
 - c. Materials on the front façade shall be at least 70% brick or stone. Exterior materials, other than doors, on the side of the garage that faces the street shall be of the same approved materials as on the front of the dwelling.

- d. A two-car garage facing the street shall have two individual doors separated by a divider.
 - e. Roofs shall be pitched in accordance with the Honeygo Overlay District Design Guidelines.
 - f. Label materials to be used on the side and rear facades. Show how façade materials will be carried to grade. Identify a quality finish where grade changes expose foundation walls. Parged and painted block are unacceptable.
 - g. Show details of front entry treatment. Incorporate approved materials in steps and walks. Provide front yard fence treatment with uniform materials. Fence should be picket style or a design that complements each architectural house style offered.
 - h. Landscaping shall be provided on the street side of the fence.
4. Place a note on the plan stating:
- All fencing shall be in conformance with the Honeygo Overlay District Design Guidelines, and any fence more than three feet high shall also be setback at least five feet from any public right-of-way other than an alley.
5. A 10' access easement is shown between lots 28 and 29. A path that meets ADA standards should be constructed before occupancy permit. Show a detail on the plan with the houses, driveways, and path to alert prospective buyers. Indicate clearly that the path is a pedestrian connection to the Chapel Hill Elementary School site. Show materials, fencing, and landscaping proposed for the path.
6. Open space edges should be defined with landscaping. Lots 142 and 143 and the adjacent open space shall be defined by uniform fencing and landscaping.

VARIANCES

1. Support of variances listed below is subject to compliance with the Development Plan comments of this report.
2. The Honeygo Overlay District regulations require that "Storm water management pond slopes shall not exceed a ratio of 3:1." The applicant is requesting a zoning variance to allow 2:1 slopes.
 - a. The Office of Planning supports the variance for 2:1 slopes in ponds number 1 and 1A. Steeper slopes will allow less environmental disturbance in this area.
 - b. Support for the variance for pond number 2 was dependent on design of the pond as a visual amenity and focal point at the terminus of Street "A". In previous comments the Office of Planning requested that the applicant indicate the location of any fill embankments and riser structures for the ponds and show realistic screening on the landscape plan that will meet Soil Conservation District planting restrictions. A separate detail and a fencing elevation were requested. This information has not been provided.

Landscaping for pond 2 and adjacent streets may not be achievable as shown on the plan. Furthermore the applicant proposes to reduce the size of pond 2 and add a lot in this area. The Office of Planning recommends denial of the variance for pond 2 and removal of lot 41.
3. A Zoning Variance to permit a 30-ft. rear setback for 29 of the lots has been requested. The applicant should clarify the design specifics for these lots for evaluation of compliance with Honeygo architectural standards and design guidelines.

4. A Zoning Variance to permit a 78-ft. lot width at the building line for 10 of the lots has been requested. All of these lots are corner lots. The preferred house orientations are those shown on the plan. The applicant should show the garage and driveway layout for these lots and the architectural treatment of the facades that face each corner to see if design quality justifies support of the variances.
5. A Zoning Variance to permit an 84-ft. lot width at the building line for 6 of the lots has been requested. The lots involved are located on a loop road that encloses an active open space area of 0.3± acres. It is not desirable to reduce the size of the open space in order to increase the width of these lots.

Prepared By:

Carol M. Goy

Section Chief:

Jeffrey W. Long

CMcE:kma

December 22, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

HEARING OFFICER HEARING

PROJECT NAME: Baltimore Air Park

Project Number: 11-829

Location: N of Joppa Road between New Gerst lane and Forge Hill

Acres: 60.96

Developer: Forge Landing, LLC

Engineer: G.W. Stephens, Jr., Inc.

Proposal: 147 Single Family Lots

***** AND *****

CASE NUMBER: 00-252-A

N of Joppa Road between New Gerst Lane and Forge Hill (Baltimore Air Park)

11th Election District – 5th Councilmanic District

Legal Owner: Baltimore Aviation Service, Inc.

Contract Purchaser: forge Landing, LLC

Variance to permit a 30-foot rear setback in lieu of the required 50-foot setback on the lots identified; to permit a 78-foot lot width in lieu of the required 85-foot lot width on the lots identified; and to permit an 84-foot lot width in lieu of the required 85-foot lot width on the lots identified.

HEARING OFFICER HEARING

PROJECT NAME: Baltimore Air Park

CASE NUMBER: 00-252-A

N of Joppa Road between New Gerst Lane and Forge Hill (Baltimore Air Park)

NOTICE OF ZONING HEARING

Page 2

HEARING: Thursday, January 20, 2000 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue

Arnold Jablon
Director

c: Howard Alderman, Jr., Esquire, 305 W. Chesapeake Ave., Towson 21204
Balto. Aviation Service, PO Box 89, New Forge Road, White Marsh 21162
Forge Landing, 9640 Deereco Road, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JANUARY 5, 2000**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Gwen

I just ran these off the computer. Need to ask Kathleen what she did with the copies that were in the file. This case was set before it was on the agenda.

Soph 1/4/00



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

January 25, 2000

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
305 West Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING & PETITION FOR VARIANCE
N/S Joppa Road at end of New Gerst Lane; W/S JFK Highway (I-95)
(Baltimore Air Park)
11th Election District – 6th Council District
Baltimore Aviation Service, Inc., Owners; Forge Landing L.L.C., Developer
Cases Nos. XI-829 and 00-252-A

Dear Mr. Alderman:

This letter is to confirm that the above-captioned matter was postponed in open hearing on January 20, 2000. The matter was postponed to provide the Office of Planning (OP) and the Department of Environmental Protection and Resource Management (DEPRM) additional time to review your client's proposal and resolve some issues. At this time, those agencies do not know how long it will take to complete their review. Therefore, by copy of this letter, I am requesting that both the Office of Planning and DEPRM advise Dave Flowers, the Project Manager, when they are ready to proceed with the Hearing Officer's Hearing so that he can coordinate a mutually convenient hearing date, time and location. At such time as a new hearing date has been scheduled, it is requested that Mr. Flowers notify all County agency representatives and this Office will send a confirmation letter to all other parties to this case.

In the meantime, should anyone have any questions concerning the status of this case, it is suggested that you contact Mr. Flowers at 887-3321.

Sincerely,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Earl Mace, Baltimore Aviation Service, Inc.

P.O. Box 89, New Forge Road, White Marsh, Md. 21162

Mr. Anthony Julio, Forge Landing, LLC, 9640 Deereco Road, Timonium, Md. 21093

Mr. Rick Chadsey, G. W. Stephens, Jr. & Assoc., Inc.

658 Kenilworth Drive, Suite 100, Towson, Md. 21204

Mr. David Marks, Perry Hall Imp. Assoc., P.O. Box 63, Perry Hall, Md. 21128

Dave Flowers, DPDM; Bob Bowling, DPDM; DEPRM; OP; R&P; People's Counsel; Files

Come visit the County's Website at www.co.ba.md.us





Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 19, 2000

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
305 West Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING & PETITION FOR VARIANCE
N/S Joppa Road at end of New Gerst Lane; W/S JFK Highway (I-95)
(Baltimore Air Park)
11th Election District – 6th Council District
Baltimore Aviation Service Inc., Owners; Forge Landing LLC, Developer
Case Nos. XI-829 & 00-252-A

Dear Mr. Alderman:

This letter is to confirm that the above-captioned matter, scheduled for Friday, June 23, 2000 in Room 106 of the County Office Building, has been moved back one hour to 10:00 AM. As previously explained, a conflict in my schedule prevents me from starting the hearing at 9:00 AM as previously scheduled. I understand that you have contacted your client, who has no objections to the later start time. I am also in receipt of a copy of your e-mail to Mr. David Marks, President of the Perry Hall Improvement Association, advising him of this change.

Thank you for your consideration in this matter.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Earl Mace, Baltimore Aviation Service, Inc.
P.O. Box 89, New Forge Road, White Marsh, Md. 21162
Mr. Anthony Julio, Forge Landing, LLC, 9640 Deereco Road, Timonium, Md. 21093
Mr. Rick Chadsey, G. W. Stephens, Jr. & Associates, Inc.
658 Kenilworth Drive, Suite 100, Towson, Md. 21204
Mr. David Marks, Perry Hall Improvement Assoc., P.O. Box 63, Perry Hall, Md. 21128
Don Rascoe, PDM; Bob Bowling, PDM; DEPRM; OP; R&P; People's Counsel; Case Files

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For You, For Baltimore County

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Howard L. Alderman, Jr., Esquire

From: "Howard L. Alderman, Jr., Esquire" <halderman@LevinGann.com>
To: "David Marks - Pres" <phia@bcpl.net>
Sent: Friday, June 16, 2000 1:16 PM
Attach: Howard L. Alderman, Jr., Esq..vcf
Subject: Baltimore Air Park - CHANGE OF HEARING TIME

Mr. Marks:

As you are aware, the Hearing Officer's Hearing on the proposed development of the Baltimore Air Park Property is presently scheduled for Friday, June 23, 2000, at 9:00 a.m. in Room 106 of the County Office Building, located at 111 West Chesapeake Avenue. I have just returned a call to the Office of the Zoning Commissioner/Hearing Officer in response to a message from that office to me yesterday that the start time for the hearing on 6/23 needed to be moved to **10:00 a.m., without modification of the date or location.** I have notified my client and wanted to ensure that you received notice as well.

Therefore, please be advised that the Hearing Officer's Hearing for the Baltimore Air Park development is scheduled as follows:

Date: Friday, June 23, 2000 [no change]

Location: Room 106, County Office Building [no change]

Starting Time: 10:00 a.m. [changed from 9:00]

If you have any questions, please do not hesitate to call me at 410-321-0600.

c: (via telefax): Zoning Commissioner's Office

EMAIL SENT 1:16 PM HLA

Post-it® Fax Note 7671		Date <i>6/16/00</i>	# of pages <i>1</i>
To <i>Commissioner Schmandt</i>		From <i>Howard Alderman</i>	
Co./Dept.		Co.	
Phone #		Phone #	
Fax <i>410 887-3468</i>		Fax #	

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-539-3700
TELECOPIER 410-625-9050

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-321-0600
TELECOPIER 410-296-2801

ELLIS LEVIN (1893-1960)

HOWARD L. ALDERMAN, JR.
halderma@bcpl.net

December 15, 1999

12/16/99
af
SJ

ok 12/17
u.a.

VIA HAND DELIVERY

Arnold Jablon, Director
Department of Permits & Development Management
111 West Chesapeake Avenue, Suite 109
Towson, Maryland 21204

RE: Case No. 00-252-A/PDM No. XI-829
Baltimore Air Park Property
Request for Combined Hearing Officer's/Zoning Hearing

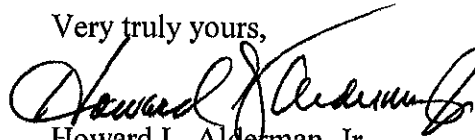
Dear Mr. Jablon:

I represent Forge Landing, LLC, one of the Petitioners in the above-referenced case. As you may know, Community Input Meetings have been held relative to the proposed development of this property and a Development Plan has been submitted.

In accordance with *Baltimore County Code* § 26-206.1, we hereby request that the hearing on the Petition for Zoning Variance, filed with your office on this date, be combined with the public hearing to be held on the Development Plan. I have spoken with David Flowers in your office and have coordinated this filing with him.

Thank you for your processing of this request. Should you or your staff need any additional information to enable your favorable decision on this request, please do not hesitate to call me.

Very truly yours,


Howard L. Alderman, Jr.

HLA/gk

c: Forge Landing, LLC
Ms. Gwendolyn Stephens
Mr. David Flowers
Frederick N. Chadsey, PE

File

ARNOLD JABLON
(410) 494-6298

aejablon@venable.com

9 April 2004

Hon. Lawrence Schmidt
Zoning Commissioner of Baltimore County
401 Bosley Ave.
Towson, Maryland 21204

Re: confirmation that "de minimis"
deviation from approved plan is
not a zoning violation

Dear Mr. Schmidt:

This office represents Richmond American, the homebuilder for Forge Landing (formerly known as "Baltimore Air Park"). Forge Landing is a 147 lot residential subdivision located in the Honeygo Overlay District, adjacent to and north of the intersection of I-95 and Joppa Road. The purpose of this letter is to request your confirmation and agreement that a "de minimis" encroachment into a required setback does not constitute a violation of your order in case Nos. XI-829 and 00-252A. You granted therein approval of the Development Plan for this property. The approved development plan is entitled "Development Plan Schematic Landscape Plan and Plat to Accompany Petition for Zoning Variances." A copy of your order is attached hereto for your reference, and is marked as exhibit A. We believe that an amendment to the approved development plan and/or a request for variance is not required and we request your confirmation and agreement with our presumption.

Recently, on lot 139 of the subdivision, our client entered into and executed a contract with bona fide purchasers to construct their home. The lot's building envelope was originally staked out for siding, but the contract purchasers chose an upgrade and requested brick. Brick was installed on the front façade. After construction, our client discovered that the brick caused a three to four inch (3" - 4") encroachment into the ten-foot setback. A copy of plot plan for lot 139 is also attached, and marked as Exhibit B.

April 9, 2004
Page 2

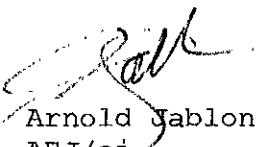
When our client realized the encroachment, we were requested to immediately take whatever corrective action required by the County to bring this matter into compliance. Our client does not want this "de minimis", minor, deviation to interfere with the sale of this home. There has been no complaint or zoning notices issued.

I discussed this with Carl Richards, Zoning Supervisor, and Timothy Kotroco, Director of the Department of Permits and Development Management. They suggested that I bring this to your attention and request your review inasmuch as this development was approved after a quasi-judicial hearing before you in your capacity as Hearing Officer/Zoning Commissioner. They further suggested that I speak with Dennis Eckert, who had appeared at the hearing before you on behalf of the Perry Hall Improvement Association.

I did speak with Mr. Eckert and he does not object to our request.

Therefore, we request that you agree that, as described above, the encroachment of 3" to 4" into the 10-foot setback does not require an amendment to the approved development plan in Case No. XI-829, nor does it require a zoning variance to the requisite 10-foot setback requirement. We ask that you agree that there is no violation of your approved order. If you agree with our conclusions, I am requesting that you sign on the appropriate signature line provided below and request that you return the attached copy of this letter to me.

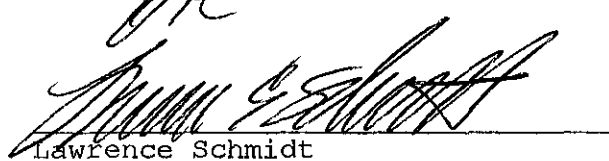
Sincerely,



Arnold Jablon
AEJ/aj

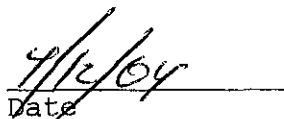
c: Dennis Eckert
Timothy M. Kotroco, Esq.
Director, Department of Permits and Development Management

April 9, 2004
Page 3

OK


Lawrence Schmidt

Zoning Commissioner of Baltimore County


Date

IN RE: DEVELOPMENT PLAN HEARING and * BEFORE THE
PETITION FOR VARIANCE - NW/S
John F. Kennedy Highway (I-95) and W/S * ZONING COMMISSIONER
Joppa Road and New Gerst Lane
(Baltimore Air Park) * OF BALTIMORE COUNTY
11th Election District *
5th Council District * Cases Nos. XI-829 & 00-252-A

Baltimore Aviation Service, Inc., Owner; *
Forge Landing, LLC, Developer

* * * * *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Zoning Commissioner as a combined public hearing, pursuant to Section 26-206.1 of the Baltimore County Code, for consideration of a development plan and Petition for Variance, filed by Baltimore Aviation Service, Inc., Owners, and Forge Landing, L.L.C., Developers. The Owners/Developers seek approval, pursuant to Section 26-206 of the Baltimore County Code, to develop the site with 146 single family dwellings. In addition to development plan approval, zoning relief is sought from the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: 1) From Section 259.9.C.8 to permit a storm water management pond slope ratio of 2:1 in lieu of the required 3:1; 2) from Section 259.9.B.4.e to permit a rear yard setback of 30 feet in lieu of the required 50 feet for the lots listed in Note #4 on the plan; 3) from Section 259.9.B.3 to permit a lot width of 78 feet in lieu of the required 85 feet for the lots listed in Note #5 on the plan; and, 4) from Section 259.9.B.3 to permit a lot width of 84 feet in lieu of the required 85 feet for the lots listed in Note #6. The proposed development and relief requested are more particularly described on the red-lined development plan which was submitted into evidence and marked as Developer's Exhibit 1.

This project has undergone lengthy review and evaluation through the development review process, as codified in Title 26 of the Baltimore County Code, and has significantly evolved through the process. Originally, a concept plan of the proposed development was prepared and a conference held thereon on March 29, 1999. Two community input meetings were

held for the proposal on May 12, 1999 at the Perry Hall Library, and July 28, 1999 at the White Marsh Library. Subsequently, a development plan was submitted and a conference held thereon on September 8, 1999 and a Hearing Officer's Hearing scheduled thereafter for September 30, 1999. The matter was postponed, however, so that additional input and changes could be made to the plan. As a result of these changes, another development plan conference was held on December 29, 1999, and a Hearing Officer's Hearing scheduled for January 20, 2000. That hearing was postponed, however, and subsequently rescheduled and conducted on June 23, 2000.

Appearing at the public hearing required for this project were G. Earle Mace on behalf of Baltimore Aviation Service, Inc., property owner; Anthony Julio, a Member of the Forge Landing, LLC; Developer; Rick Chadsey, Professional Engineer with George W. Stephens, Jr. & Associates, Inc., who prepared the plan; Mickey Cornelius, Traffic Engineer from The Traffic Group, Inc.; and, Howard L. Alderman, Jr., Esquire, attorney for the Owners/Developers. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including Glenn Shaffer on behalf of the Department of Environmental Protection and Resource Management (DEPRM); Jun Fernando, Zoning Review, Bob Bowling, Development Plans Review, Colleen Kelly, Land Acquisition, and Don Rascoe, Project Manager, all representatives of the Department of Permits and Development Management (PDM); Lynn Lanham for the Office of Planning (OP); and, Paul Walsky with the Department of Recreation and Parks (R&P). Appearing as interested persons were Dennis Eckard, who appeared on behalf of the Perry Hall Improvement Association, and Marion E. Barton, a nearby property owner.

The subject property is located in the Honeygo/White Marsh community in eastern Baltimore County and consists of a gross area of 60.96 acres, more or less, split zoned D.R.1H (0.17 acres), D.R.-2H (14.0 acres), and D.R.-3.5 (46.79 acres). To the south and the east, the property abuts the John F. Kennedy Memorial Highway (I-95). To the west, the property will adjoin a new public road to be constructed and connected to Joppa Road. To the south, the property lies adjacent to the Chapel Hill Elementary School, and a proposed residential community which was recently approved by this Hearing Officer, known as Moore's Orchard. To the north,

large section of the property abuts another new residential subdivision currently under construction, known as Glenside Farms. As more particularly shown on the development plan, Forge Landing, LLC proposes 146 single family dwelling lots. This is less than the 191 lots permitted, pursuant to the zoning density, and a reduction from the number of lots originally proposed. Several different means of access to the site will be provided. As noted above, a road will ultimately be constructed to connect the western property line of the subject site to Joppa Road. To the north, there is a proposed connection via Glen Summit Drive into the Glenside Farms subdivision and a potential link to New Gerst Lane. Two additional means of access will be provided from the south side of the site and the Moore's Orchard property. These connections are in furtherance of the County's goal to provide inter-connecting road systems for new development.

Mr. Chadsey testified and presented the plan. He detailed the overall concept proposed and specifically discussed the red-lined changes to the plan. He also discussed the history of the project and the evolution of the proposal to its current form. As noted above, the proposal provides for less units than permitted under the applicable density regulations, and fewer lots than were originally proposed. Mr. Chadsey also described certain public amenities which will be provided as part of the development. These include a baseball field adjacent to the southern portion of the site for use in conjunction with the existing school. Additionally, an area is being conveyed to Baltimore County for the construction of a water tower on the eastern portion of the site. The plan also shows Homeowners' Association open space and the retention of forest buffer easement and forest conservation reservation areas of approximately 7.66 acres. The details of the project are more particularly shown on the plan.

Pursuant to Section 26-206 of the Baltimore County Code, this Hearing Officer is required to first identify any unresolved agency comments or issues. One such issue raised relates to the termination of an internal road (Street B) on the eastern side of the subject property. Presently, the property is used as a private air strip. Vehicular access to the site is currently by way of a private road which leads into the property from New Forge Road. From its connection at New Forge Road, this road serves not only the subject property, but other adjacent lots,

including the property owned by Ms. Barton. At her request, proposed public Street B (which essentially follows the existing private road) will be closed short of the property line. That is, the plan shows that proposed Street B will terminate within the eastern portion of the site, immediately adjacent to two proposed storm water management facilities. Proposed Street B will be extended to a point sufficient to provide County maintenance vehicles with access to the two storm water management facilities in this area, but will stop short of the property line so that traffic cannot exit the site in that direction. Mr. Bowling indicated that the termination of the road as described above was acceptable to Baltimore County. It is also to be noted that although actual construction of Street B will stop short of the eastern property line, the Developer will dedicate the land and design the road in the event a future connection is warranted.

As a second issue, Mr. Chadsey described the proposed means of access/egress from the property's east side. Presently, Joppa Road in this vicinity suffers from a change in grade which limits sight distance at the point where the proposed access road intersects that street. Based on this condition, it was agreed by the Developer that the ultimate connection to Joppa Road will not be made until such time as the County, through its Capital Improvements Program, corrects the grade of this road. The Developer and the Department of Public Works have agreed to allow the project to proceed without actual connection to Joppa Road. However, ultimately, after the County makes capital improvements to Joppa Road, the Developer will do the work necessary to construct the access road and connect same into Joppa Road.

The third issue was identified by Mr. Shaffer of the Department of Environmental Protection and Resource Management (DEPRM). Mr. Shaffer indicated that new hydraulic studies were necessary for the storm water management facility located near the proposed ball field in the southwest corner of the subject site. The Developer has agreed to submit these studies for DEPRM's review and approval, prior to the recordation of the record plat.

There were no other open issues identified at the hearing which had not been corrected or amended by virtue of the red-lined changes made on the plan. These red-line changes are self-explanatory.

It is to be noted that Mr. Eckard, who appeared on behalf of the Perry Hall Improvement Association, does not oppose the project, and discussed his Association's involvement which resulted in the final version of the plan as now proposed. Additionally, the termination of the road in the eastern portion of the property was a condition requested and supported by Ms. Barton.

Based upon the testimony and evidence presented, it appears that the development plan should be approved. In my judgment, the plan meets all County requirements and complies with all agency comments. It appears that the intent of the Development Review Regulations has been met and that the plan has evolved into a proposal that is supported by both the County and the community.

In addition to development plan approval, zoning relief is also requested as outlined above. As to the storm water management ponds, Mr. Chadsey testified that their location and the environmental constraints associated therewith justify an alteration of the slope ratio requirements. Mr. Chadsey also explained the need for the other variances requested which relate to rear yard setbacks and lot widths. He indicated that in order to maintain a fluid and appropriate road network, certain rear yard setbacks proposed were slightly less than required. Also contributing to this variance request was the irregular shape of the property.

As to the lot widths, some of the proposed lots are 84 feet wide, 1 foot less than the required 85 feet, and others are 78 feet wide. Many of these lots are corner lots or pie-shaped lots which necessitate variance relief from this standard. Mr. Chadsey also indicated that all of the proposed dwellings will feature side-loaded garages and that the project meets the heightened Honeygo design requirements. He also indicated that all variance requests were internal to the property and that the relief requested met the requirements of Section 307 of the B.C.Z.R. and the case law.

Based upon the testimony and evidence offered, I am persuaded to grant the variance relief. Mr. Chadsey's testimony was credible and not disputed nor opposed.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved and the Petition for Variance granted, consistent with the comments contained herein and the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this 29th day of June, 2000 that the development plan for Baltimore Air Park, identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: 1) From Section 259.9.C.8 to permit a storm water management pond slope ratio of 2:1 in lieu of the required 3:1; 2) from Section 259.9.B.4.e to permit a rear yard setback of 30 feet in lieu of the required 50 feet for the lots listed in Note #4 on the plan; 3) from Section 259.9.B.3 to permit a lot width of 78 feet in lieu of the required 85 feet for the lots listed in Note #5 on the plan; and, 4) from Section 259.9.B.3 to permit a lot width of 84 feet in lieu of the required 85 feet for the lots listed in Note #6, in accordance with Developer's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The paving for proposed Street B will terminate at a point adjacent to the two storm water management facilities in the eastern portion of the site. Street B will be constructed to provide County maintenance vehicles with access to these storm water management facilities, but will stop short of the eastern property line so that traffic cannot exit the site from that direction. The Developer will provide the necessary land dedication and construction drawings for the road to accommodate eventual construction.
- 2) The connection of proposed Street A to Joppa Road will not be made until such time as the County, through its Capital Improvements Program, corrects the grade of Joppa Road. Upon the County's completion of their capital improvements to Joppa Road, the Developer will complete the work necessary to construct/connect the access road and connect same to Joppa Road.

- 3) Prior to the recordation of the record plat, the Developer shall submit for review and approval by DEPRM, hydraulic studies for the storm water management facility located near the proposed ball field in the southwestern corner of the property.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

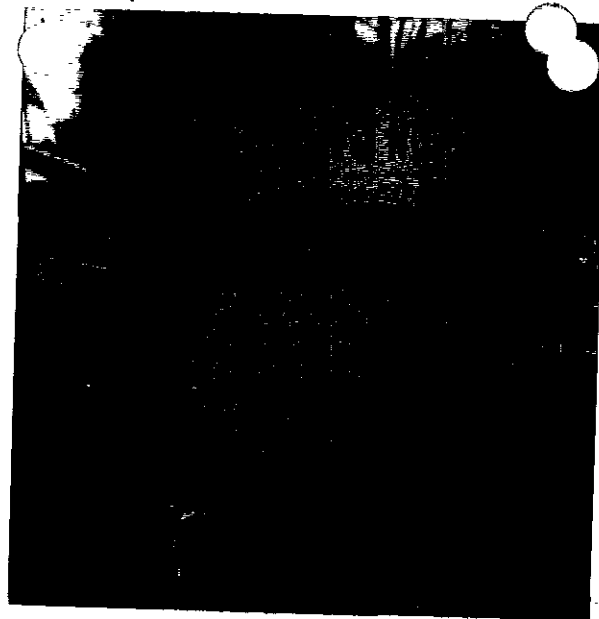
Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

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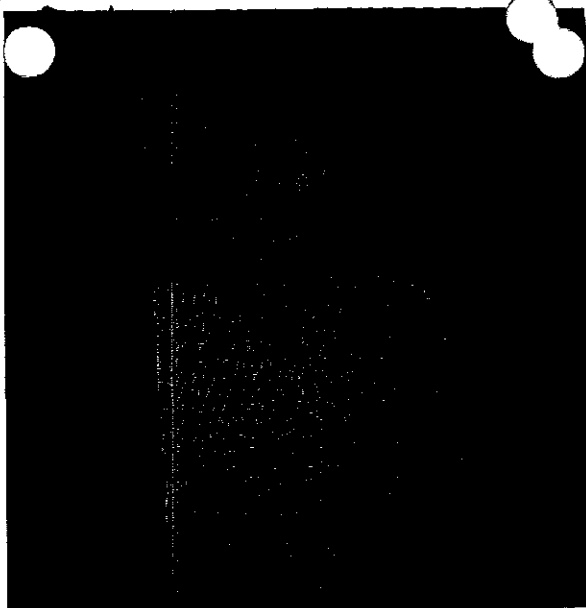

LAWRENCE E. SCHMIDT
Zoning Commissioner/Hearing Officer
for Baltimore County



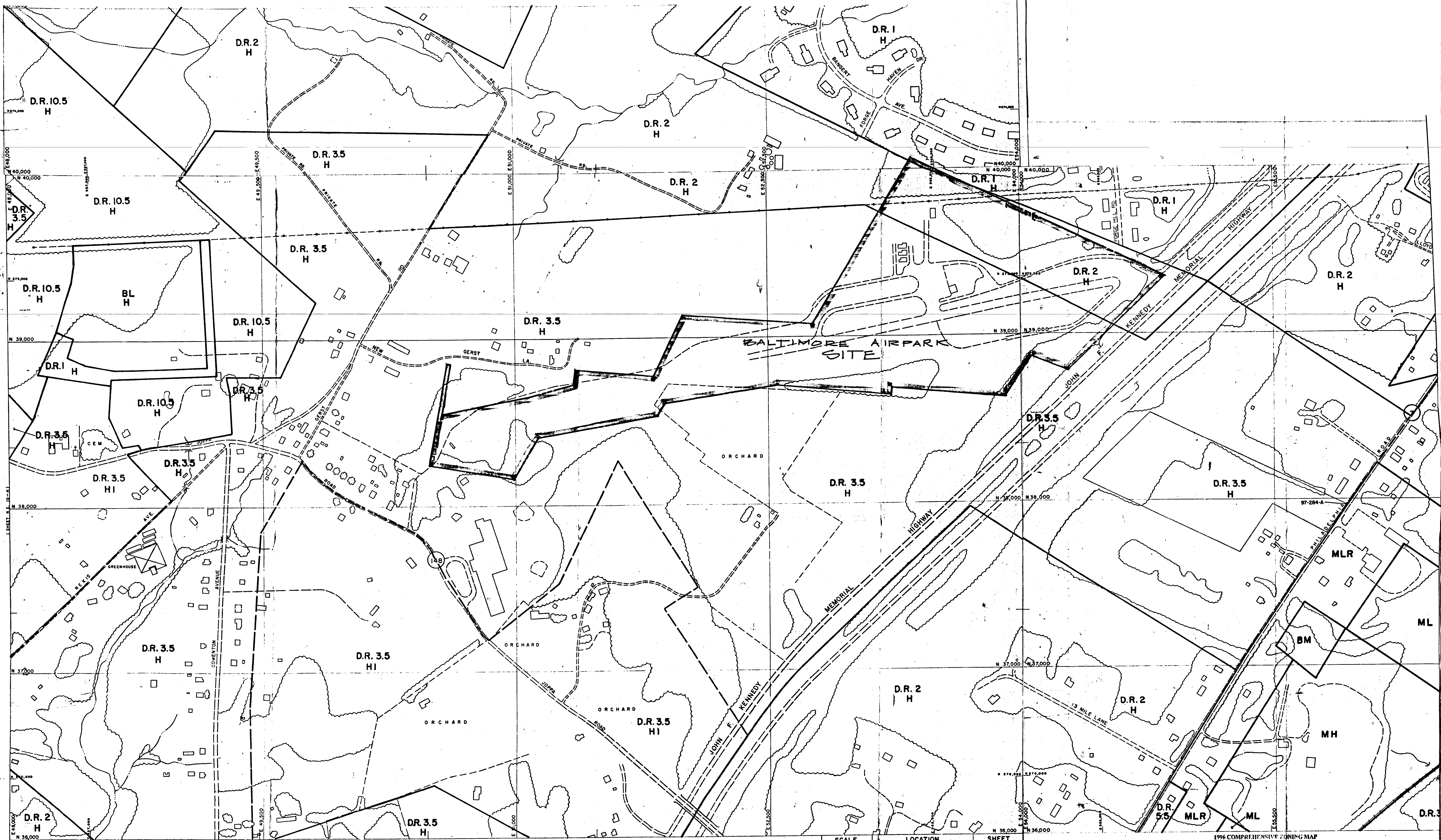
FORGE HILL RD.



WINKLER STREET



NEW GERST RD.
AT JOPPA ROAD



1996 COMPREHENSIVE ZONING MAP
ADOPTED BY THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96
Kevin Kamenetz
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

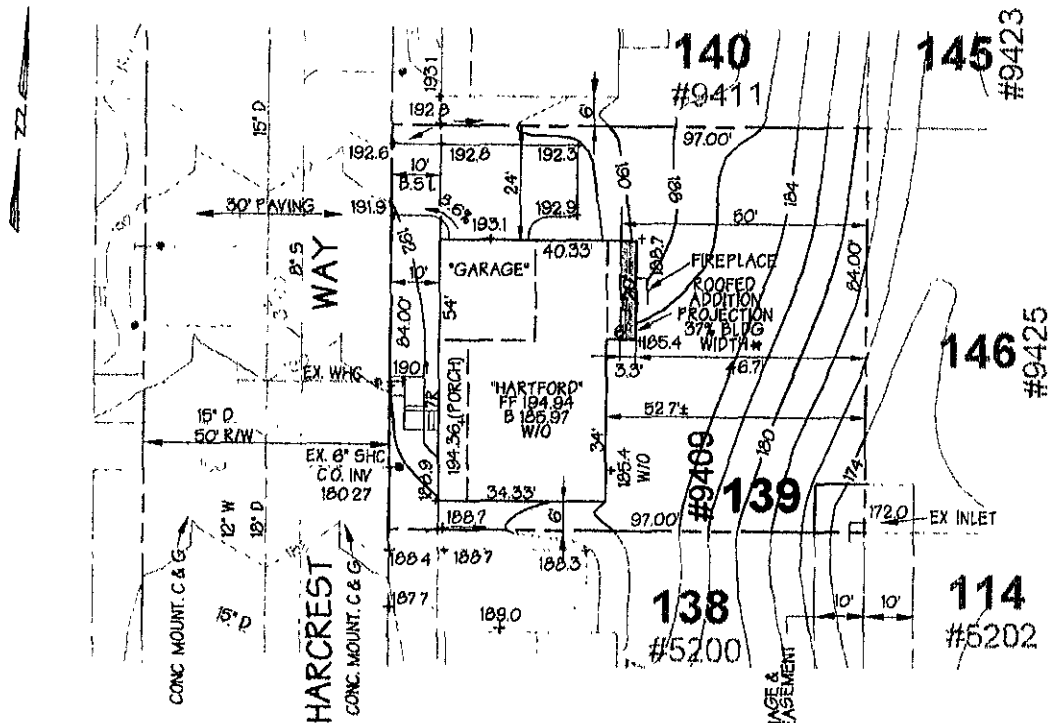
**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

SCALE 1" = 200'	LOCATION WHITE MARSH PERRY HALL VICINITY	SHEET N.E. 10-1	M-NE M-NW Q-SE QQ-SW	1996 COMPREHENSIVE ZONING MAP ADOPTED BY THE BALTIMORE COUNTY COUNCIL OCTOBER 8, 1996 Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96 <i>Kevin Kamenetz</i> Chairman, County Council	OFFICE OF PLANNING AND ZONING
DATE OF PHOTOGRAPHY JANUARY 1986				THIS MAP HAS BEEN REVISED IN SELECTED AREAS. TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS BY BUCHART-HORN, INC. BALTIMORE, MD. 21210	OFFICE OF PLANNING AND ZONING

00-252-A

THIS PLAN IS NOT TO BE USED FOR CONTRACTS, CONVEYENCES, OR AGREEMENTS. HOUSE SHOWN HEREON SHALL BE CONSTRUCTED FROM ARCHITECTURAL PLANS AS PREPARED AND FURNISHED BY RICHMOND AMERICAN HOMES OF MARYLAND, INC.

NOTE: GRADING AT PROPERTY LINE SUBJECT TO FIELD CHANGE TO FACILITATE CONSTRUCTION OF ADJACENT HOUSES. MINOR FIELD RE GRADING SHALL BE REQUIRED.



* PER APPROVED SECOND AMENDED FINAL DEVELOPMENT PLAN, ROOFED ADDITIONS MAY PROJECT INTO THE REAR SETBACK UP TO A MAXIMUM OF 10 FEET. THE ROOFED ADDITION MAY NOT EXCEED 50% OF BUILDING WIDTH.

NOTE: A ZONING VARIANCE WAS GRANTED TO PERMIT A 84 FT. LOT WIDTH AT THE BUILDING LINE IN LIEU OF THE 85 FT. REQUIRED.

"HARTFORD" (ELEV. B)
EXTENDED FAMILY ROOM
FIREPLACE FAMILY ROOM
DOUBLE SIDE ENTRY GARAGE

FORGE LANDING
LOT 139

ELECTION DISTRICT # 11 - C5
PLAT REFERENCE: SM 75-32

#9409 HARCREST WAY
BALTIMORE COUNTY, MARYLAND



GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
1020 CROMWELL BRIDGE ROAD
TOWSON, MARYLAND 21286-0398
(410) 826-8120

PERMIT PLAN

SHEET 1 OF 1

REVISIONS

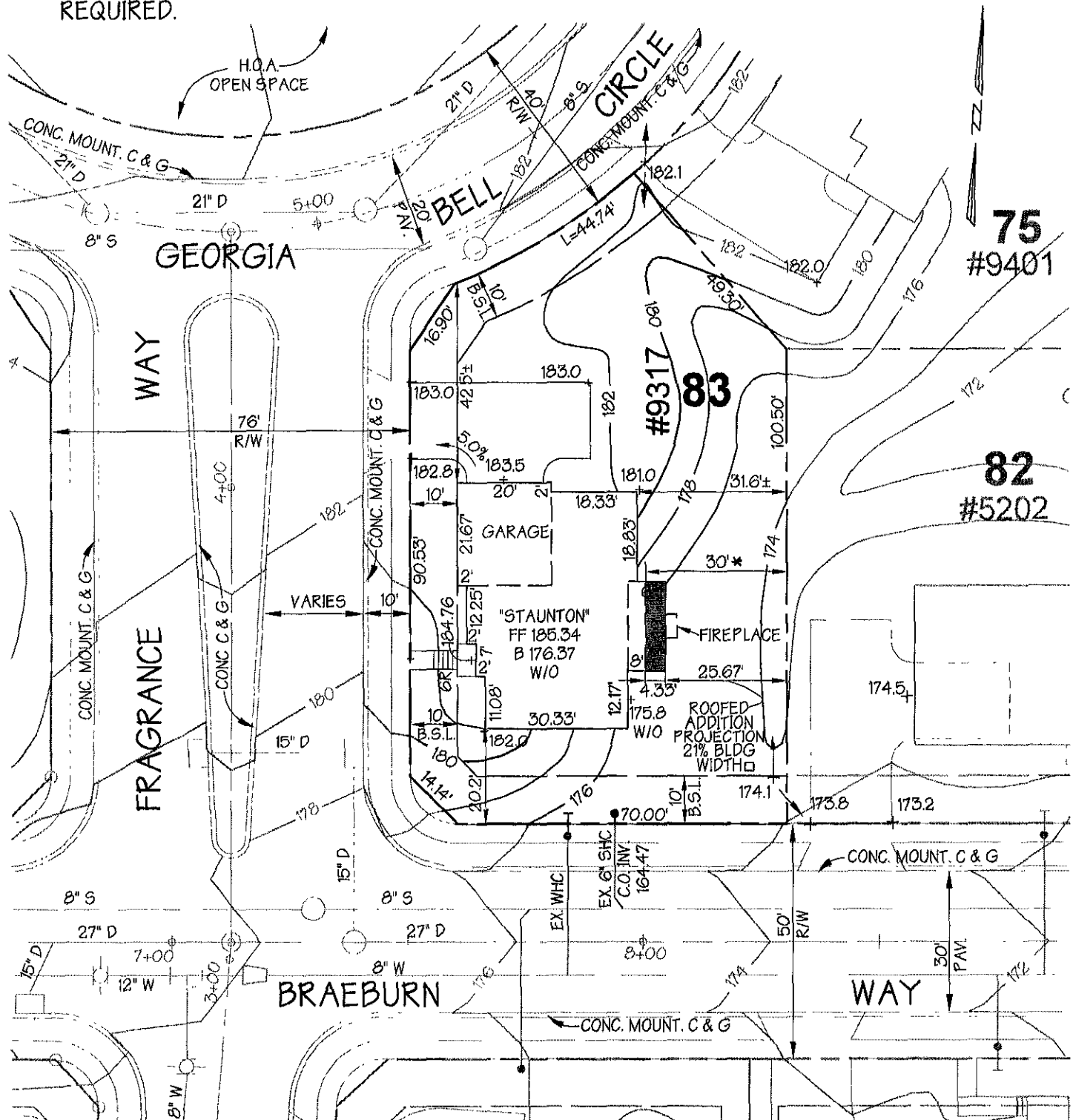
SCALE: 1" = 30'

JUNE 26, 2003

P.N. 108653

THIS PLAN IS NOT TO BE USED FOR CONTRACTS, CONVEYENCES, OR AGREEMENTS.
HOUSE SHOWN HEREON SHALL BE CONSTRUCTED FROM ARCHITECTURAL PLANS
AS PREPARED AND FURNISHED BY RICHMOND AMERICAN HOMES OF MARYLAND, INC.

NOTE: GRADING AT PROPERTY LINE SUBJECT TO FIELD CHANGE TO FACILITATE
CONSTRUCTION OF ADJACENT HOUSES. MINOR FIELD RE GRADING SHALL BE
REQUIRED.



* A ZONING VARIANCE WAS GRANTED TO PERMIT
A 30 FT. REAR SETBACK IN LIEU OF THE 50 FT
REQUIRED.

□ PER APPROVED SECOND AMENDED FINAL DEVELOPMENT PLAN,
ROOFED ADDITIONS MAY PROJECT INTO THE REAR SETBACK UP
TO A MAXIMUM OF 10 FEET. THE ROOFED ADDITION MAY NOT
EXCEED 50% OF BUILDING WIDTH.

"STAUNTON" (ELEV. D W/BRICK)
EXTENDED FAMILY ROOM
GOURMET KITCHEN
FIREPLACE FAMILY ROOM
DOUBLE SIDE ENTRY GARAGE

SALT AIR PARK
FORGE LANDING
LOT 83

ELECTION DISTRICT # 11 - C5
PLAT REFERENCE: SM 75-33

#9317 FRAGRANCE WAY
BALTIMORE COUNTY, MARYLAND



GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS

1020 CROMWELL BRIDGE ROAD
TOWSON, MARYLAND 21286-3396
(410) 825-8120

PERMIT PLAN

SHEET 1 OF 1

SCALE: 1" = 30'

JUNE 26, 2003

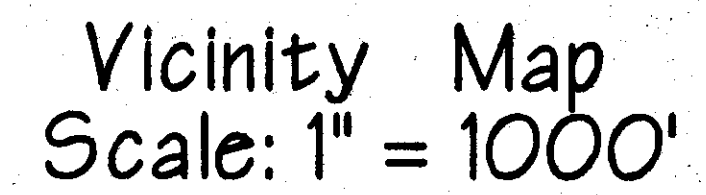
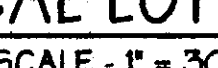
P.N. 108653

REVISIONS

NOTE:
If applicant is a corporation, this certification must be
completed by an authorized officer and if applicant is a

PROPOSED OWNERSHIP	BALTO. C
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PROP. SHRUBS



- WATER AND VARIANCE REQUESTS
1. DE P.R.M. VARIANCE OF THE 35 FOOT SETBACK FROM A FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT TO A RESIDENTIAL BUILDING FOR THE SIDE YARD ON LOTS 95, 99, 102 AND 112.
2. REQUEST FOR PERMISSION FROM DE P.R.M. TO PERMIT:
- STORMWATER MANAGEMENT DRAINAGE FROM PONDS AND Z.
 - GRADING IN A FLOODPLAIN AREA FOR THE RECONSTRUCTION OF THE ACCESS ROAD (STREET B) THAT CONNECTS WITH NEW FORGE ROAD.
 - DISTURBING THE FOREST BUFFER FOR THE RECONSTRUCTION OF THE ACCESS ROAD (STREET B) THAT CONNECTS WITH FORGE ROAD.
 - A STREAM CROSSING FOR THE RECONSTRUCTION OF THE ACCESS ROAD (STREET B) THAT CONNECTS WITH NEW FORGE ROAD.
3. ZONING VARIANCE TO PERMIT STORMWATER MANAGEMENT POND SIZES OF 21 IN LIEU OF 30 IN LIEU AS ALLOWED BY SECTION 259.96 A.
4. ZONING VARIANCE TO PERMIT A 50 FT. REAR SETBACK IN LIEU OF THE REQUIRED 50 FT. ON LOTS 15, 16, 19, 20, 21, 22, 26, 39, 52, 61, 62, 64, 65, 66, 67, 70, 73, 96, 107, 111, 115, 116 AND PER B.C.Z. SECTION 259.98 A.
5. ZONING VARIANCE TO PERMIT A 7.5 FT. LOT WIDTH AT THE BUILDING LINE IN LIEU OF THE 85 FT. REQUIRED ON LOTS 46, 49, 57, 65, 70, 71, 123, 135 AND 147 PER B.C.Z. SECTION 259.98 B.
6. ZONING VARIANCE TO PERMIT A 14 FT. LOT WIDTH AT THE BUILDING LINE IN LIEU OF THE 85 FT. REQUIRED ON LOTS 141, 142 AND 143 PER B.C.Z. SECTION 259.98 C.

00-252-A

DEVELOPER	OWNER
NAME: FOFE LANDING, L.L.C. ADDRESS: 9650 DEERKO ROAD TUMONUM, MARYLAND 21093 PHONE: 410-561-1300	NAME: BALTIMORE AVIATION SERVICE, INC. ADDRESS: NEW FORGE ROAD P.O. BOX 89 WHITE MARSH, MD 21162 TAX ACCOUNT NUMBER: 11-2000025548 11-110224382 11-110204382 11-110204380
PREPARER OF PLAN GEORGE WILLIAM STEPHENS JR. AND ASSOCIATES, INC. 688 KENILWORTH DRIVE, SUITE 100 TOWSON, MARYLAND 21204	

DEVELOPMENT PLAN SCHEMATIC LANDSCAPE PLAN AND PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCES

BALTIMORE AIR PAI
BALTIMORE COUNTY, MARYLAND
ELECTION DISTRICT - 11 COUNCILMANIC DISTRICT - 5
WATERSHED - 3 SUBSEWER SHED - 20
SCALE - 1" = 100' DATE - NOVEMBER 11, 1999
PDM FILE # XI-829

ENVIRONMENTAL IMPACT REVIEW NOTES:

1. STANDARD NON-DISTURBANCE NOTE: THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
2. PROTECTIVE COVENANTS NEEDED FOR FOREST CONSERVATION EASEMENT AND FOREST BUFFER EASEMENT SHOULD BE IDENTIFIED TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
3. THERE SHALL BE NO CLEARING, GRADING, EXCAVATION, CONSTRUCTION, SOIL COMPACTION, INTRODUCTION OF TOXIC CHEMICALS OR OTHER DISTURBANCES TO THE SPECIMEN TREES OR THEIR CRITICAL ROOT ZONES EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
4. A WETLAND DELINEATION REPORT FOR THIS PROPERTY WAS SUBMITTED TO D.E.P.M. BY HILLIS CARRIES ON NOVEMBER 11, 1980. SUBSEQUENTLY BALTIMORE COUNTY APPROVED THE WETLAND DELINEATION AS SHOWN ON THE CURRENT PLAN.
5. A BUILDING SETBACK OF 30 FEET SHALL BE REQUIRED FROM ALL FOREST BUFFER AND FOREST CONSERVATION EASEMENTS SHOWN HEREON EXCEPT FOR REQUESTED VARIANCES.
6. A FOREST CONSERVATION PLAN HAS BEEN SUBMITTED TO BALTIMORE COUNTY FOR REVIEW AND APPROVAL.
7. AN ENVIRONMENTAL EFFECTS REPORT AND HYDROGEOLOGICAL STUDY HAS BEEN SUBMITTED TO BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FOR REVIEW.
8. THERE ARE NO KNOWN ARCHAEOLOGICAL SITES OR ENDANGERED SPECIES ON THE PROPERTY.
9. THERE ARE NO MATERIALS USED AND STORED ON SITE THAT ARE TYPICAL OF A SMALL AIRFIELD OPERATION WHICH MAY BE CONSIDERED AS HAZARDOUS. THESE MATERIALS INCLUDE AVIATION GASOLINE, HEATING OIL, WASTE MOTOR OIL, WASTE HYDRAULIC OIL, PETROLEUM SOLVENT, AND WASTE LUBRICATING OIL. CONTAINERS WITH THESE SUBSTANCES ARE LOCATED IN AREAS IN AND AROUND THE HANGER BUILDINGS AND AT SEVERAL POINTS ALONG THE ACCESS ROADS. ALL CONTAINERS AND CONTENTS WILL BE REMOVED FROM SITE AND ANY CONTAMINATION WILL BE CLEANED UP ACCORDING TO D.E.P.M. AND COWAR REGULATIONS.
10. EXISTING WELLS WILL BE FACILITATED BY A LICENSED WELL DRILLER AND EXISTING SEPTIC SYSTEMS WILL REMOVED AND BACKFILLED ACCORDING TO D.E.P.M. AND COWAR REGULATIONS.

PERMITS & DEVELOPMENT MANAGEMENT NOTES:

THIS PROPERTY AS SHOWN ON THIS DEVELOPMENT PLAN HAS BEEN HELD INACTIVE SINCE 1971. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO OTHER RECORDS OR INFORMATION HAVE BEEN IDENTIFIED THAT SHOW HIDDEN OR EXISTING UTILITIES HAVE EVER BEEN UTILIZED, RECORDED OR REPRESENTED FOR ANY SUPPORT ANY OFF-SITE DWELLINGS.

THE MAXIMUM PRINCIPLE BUILDING HEIGHT SHALL NOT EXCEED 50 FEET

ALL SITES FOR THIS PROJECT SHALL CONFORM TO SECTION 45-0 OF THE B.C.Z.R.

A DIRECTOR OF PDMA NOTE: THIS DEVELOPMENT PLAN / FINAL DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS. THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT PRESUMES THAT THE AREAS ARE DELINEATED IN THE REGULATIONS, ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL BE FURTHER SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS NOT PURSUANT TO THIS PROJECT'S PROPOSED PRESENCE ON SAID TRACT. NO OTHER INFORMATION WILL BE REQUIRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.

A BUILDING ENVELOPES SHOWN HEREON ARE THE LOCATIONS PERMITTED FOR PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND OTHER STRUCTURES ARE NOT TO BE CONSTRUCTED OUTSIDE OF THE DELINEATED ENVELOPES, SHALL COMPLY WITH SECTION 40-0 AND 30-0 OF THE B.C.Z.R. (SUBJECT TO ANY COVENANTS AND BUILDING PERMITS). THE FOOTPRINTS SHOWN ARE CONCEPTUAL AND MAY BE CHANGED.

ACCESSORY STRUCTURE NOTE:

1. ENVELOPES SHOW HEREON ARE FOR THE LOCATION OF ALL PRINCIPLE BUILDINGS ONLY. ACCESSORY STRUCTURES, INCLUDING PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE BUT MUST COMPLY WITH SECTIONS 900 AND 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS. (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS.)

2. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOODPLAIN AREAS OR HYDROIC SOILS.

3. CURB OUT NOTE:

1. THE EXACT LOCATION OF DRIVEWAY OR PARKING PAD ENTRANCES IS TO BE DETERMINED BY OWNER WHEN SPECIFIC BUILDING MODELS BECOME AVAILABLE.

LANDSCAPE PLAN NOTE:

1. A FINAL LANDSCAPE PLAN MUST BE APPROVED BY BALTIMORE COUNTY PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

2. *See Attachment 2*

GENERAL NOTES:

1. ELECTION DISTRICT - 11
2. CONGRESSIONAL DISTRICT - 5
3. CENSUS TRACT - 4517.014
4. WATERSHED - 3
5. SUBSEWERSEHD - 20
6. DEED REFERENCE - 4779/542, 4876/027, 4831/666, 475/508
7. TAX ACCOUNT NUMBER - 11/200005546, 11/102004383, 11/102004382, 11/102004380
8. SITE AREA - GROSS - 60.96 AC±
NET - 60.96 AC±
9. EXISTING ZONING - DR-H: 0.7 AC±
DR-2H: 14.0 AC±
DR-3.5H - 46.79 AC±

10. DENSITY

- ALLOWED ON DR-H: 1 x 0.17 = 0 UNITS
- DR-2H: 2 x 14 = 28 UNITS
- DR-3.5H: 46.79 x 3.5 = 163 UNITS

- PROPOSED - DR-H - 0 SINGLE FAMILY LOTS

DR-2H - 15 SINGLE FAMILY LOTS

DR-3.5H - 152 SINGLE FAMILY LOTS

TOTAL - 147 SINGLE FAMILY LOTS

- TYPICAL LOT SIZE - 84' x 100' = 8400 SF.

11. PARKING

- REQUIRED: 2 SPACES/UNIT 2 x 147 = 294 P.S.
- PROPOSED: 294 P.S. (ON LOT DRIVEWAYS)

12. OPEN SPACE

- REQUIRED: 650 SF/UNIT 650 x 147 = 219 AC±
- PROVIDED: 14.25 AC± (15.57 AC± TO BE OWNED AND MAINTAINED BY BALTIMORE COUNTY, 0.68 AC± HOA.)

13. AVERAGE DAILY TRIPS = 10 PER UNIT x 147 = 1470 ADTS

14. MAXIMUM DAILY TRIP HEIGHT = 50'

15. DEVELOPER
FORGE LANDING, LLC
9650 DEERCO ROAD
TIMONUM, MARYLAND 21093

16. TAX MAP #72 & 73, PARCELS: 562, 1056, 1055 & 365

17. ALL PROPOSED STREETS ARE PUBLIC

18. ALL LOTS ARE FOR SALE

19. ALL EXISTING STRUCTURES (INCLUDING THE SINGLE FAMILY DWELLING, AIRPLANE HANGARS, SHEDS, TERMINAL BUILDING & OTHER AIRPORT STRUCTURES) WILL BE DEMOLISHED AND/ OR REMOVED FROM THE SITE.

20. ELECTIONS OF PROPOSED SIGNAGE WILL BE SUBMITTED TO THE OFFICE OF
THE BOARD OF REVIEW AND APPROVED PRIOR TO THE ISSUANCE OF BUILDING PERMITS

21. ZONING MAP #2 - NE 1/4, 1/4, 1/4, 1/4

GW'S **GEORGE WILLIAM STEPHENS, JR.**
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
668 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(410) 826-8120

PROJECT NAME: MOORE'S ORCHARD PLAN TITLE: PLAT TO ACCOMPANY ZONING PETITIONS		REVISIONS:
PROJECT MANAGER: DAVID FLOWERS GOUNCILBLANG DIST. 5 ELECTION DIST. 11 15th AUGUST 18, 1998 FORM NUMBER: 15-001 APPROVAL:		
APPLICANT: THE RYLAND GROUP, INC. 1250 PARKWAY DRIVE SUITE 520 MANOVER, MD 21076 ATTN: MR. DOUG EISELMAN VICE PRESIDENT		
CIVIL ENGINEERS LANDSCAPE ARCHITECTS D.S. THALER & ASSOC., INC. SURVEYORS LAND PLANNERS 115 AMBASSADOR ROAD P.O. BOX 47420 BALTIMORE MARYLAND 21244-7420 (410) 646-6000, (410) 646-3871		

THE APPLICANT CERTIFIES UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FROM 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.