

IN RE: PETITION FOR SPECIAL HEARING
S/S Greenspring Valley Road, 1700' W of
Falls Road
(10650 Falls Road)
3rd Election District
3rd Council District

Baltimore County Department of
Recreation & Parks – Owner/Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-446-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by John F. Weber, III, Director of the Baltimore County Department of Recreation & Parks, the prospective owner of the property by condemnation, through their attorney, Douglas Silber, Esquire, and by Meadowwood, Inc., present owner. The Petitioners request a special hearing to approve a waiver, pursuant to Sections 500.6 and 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 517.2 (510.2) of the Baltimore County Code (B.C.C.), of Sections 26-276, 26-670, and 26-172(a)(3) of the Baltimore County Code, to permit asphalt parking, wetland creation/water quality area, and a pedestrian bridge in a riverine floodplain. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 2, and Petitioner's Exhibit 3, the layout and detail references for the parking lot and bridge.

Appearing at the requisite public hearing in support of the request were John F. Weber, III, and Deanna Bailey, representatives of the Baltimore County Department of Recreation and Parks, and Douglas Silber, Esquire, attorney for the Petitioners. Also appearing in support of the request were Kimberly Paniati and Rachel Shea, representatives of Greenman-Pedersen, Inc., architects/engineers; John Reisinger, Buildings Engineer with the Baltimore County Department of Permits and Development Management (DPDM); and, Steven Walsh, on behalf of the Baltimore County Department of Public Works. Appearing as interested persons were Geoffrey Berk, Herb

ORDER RECEIVED FOR FILING

Date

By

12/28/10
JBP

Fredeking, Tom Peddy, all of who reside in the vicinity, and Stuart D. Kaplow, Esquire, who appeared on behalf Foxleigh Enterprises, Inc., Valley Center, LLP, and Cockeys Tavern, LLP.

Preliminarily, Mr. Kaplow entered his appearance and raised an issue as to whether proper public notice of the hearing had been given. It is to be emphasized that he did not request a postponement of the proceedings in order to prepare for the hearing. Moreover, certifications contained within the case file indicate that the property was properly posted with a sign providing public notice of the hearing and that the matter was also advertised in the Jeffersonian Newspaper. Having met these requirements, I found that proper public notice was given and that the matter could proceed.¹

Testimony and evidence presented by Mr. Weber indicated that the subject property is a large, irregular shaped parcel located adjacent to the intersection of Greenspring Valley Road (Maryland Route 130) and Falls Road (Maryland Route 25) in Lutherville. The property contains a gross area of 98.556 acres, more or less, zoned R.C.2, and is presently unimproved. Last year, Baltimore County instituted proceedings in the Circuit Court of Maryland for Baltimore County to acquire the subject site by condemnation. Indeed, an Order issued by the Court on June 14, 1999 authorized the County's acquisition of the site. Apparently, a determination of its value has not yet been established. In any event, Mr. Weber indicated that the property is being acquired for development as a regional park. There are seven (7) athletic fields (soccer, lacrosse, etc.) proposed, five (5) of which will be lighted.. Additionally, there will be a parking area for up to 311 vehicles. Mr. Weber indicated that in his opinion, this number was sufficient to accommodate individuals who might use the park and that there would be no spillover of vehicles onto adjacent public roads or other properties in the area. The site will serve a number of individual recreation councils in the area, including those established in Pikesville, Lutherville-Timonium, Towson, Towsontown, and Owings Mills. The record of the case will disclose the details of Mr. Weber's testimony, including his description of the significant efforts made to design a facility which will

¹ Subsequent to the hearing, correspondence was received from Mr. Kaplow withdrawing any objection to the relief requested in the Petition and withdrawing his request, made in open hearing, that certain conditions be attached to any approval.

serve a real public need, but will not cause detrimental impacts to the surrounding locale. The design and location of the parking lot and entrance to the site from Falls Road, for example, was determined to be the most appropriate to address community concerns and avoid traffic congestion. The plan also shows the particulars of the proposed development with seven (7) fields as described above, as well as a small picnic area, tot lot, and comfort station.

The crux of the instant Petition relates to certain improvements incidental to development of the site as a recreational facility. Specifically, a portion of the property is bisected by a stream, which generates a riverine floodplain condition. In this regard, testimony was offered by Kimberly Paniati, an engineer with Greenman Pedersen, Inc., who was retained to assist in the design of the proposed facility. Ms. Paniati testified regarding her investigations and conclusions, and the location of the floodplain established through her investigation (see Petitioner's Exhibit 3). The location of the floodplain, as determined by Ms. Paniati, has been reviewed and accepted by Baltimore County's Department of Public Works (Petitioner's Exhibit 5), and the Maryland Department of the Environment (Petitioner's Exhibit 7).

Surely, Baltimore County is subject to the development regulations set out in Title 26 of the Baltimore County Code. Indeed, Section 26-168 (definitions) provides that Baltimore County is an identifiable party within the development review process codified in that Section. This is to be contrasted with established law that Baltimore County is exempt from its own zoning regulations. (See Glascok v. Baltimore County, 321 Md. 118 (1990), and Board of Appeals v. Harker, 316 Md. 683 (1989)). Section 26-670 empowers the Hearing Officer to grant a waiver from the floodplain management regulations. Section 26-670(a) sets out the reasons for which a waiver can be granted.

Counsel for Baltimore County raised an issue at the hearing as to the necessity of the relief being requested. Specifically, three "improvements" are proposed to be located within the floodplain. These include a portion of the parking lot, a wetlands/water quality area, which will be created in the management of stormwater runoff, and a pedestrian bridge, which will cross the floodplain/stream from the parking lot to the fields. Counsel for the County argued that these

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Date 12/28/10
By [Signature]

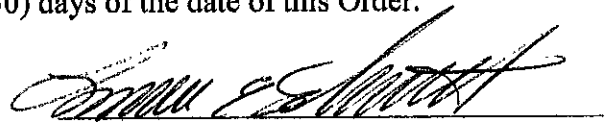
against development applies except for, "the establishment of property subdivision lines and the installation of any...bridge...utility or drainage facility..." (emphasis added). In that there is no evidence in the record of the establishment of any property subdivision lines, this exempting language is not applicable in the instant case. For all of these reasons, I find that the County need obtain a waiver in order to construct the park project as proposed.

Having determined that a waiver is necessary, I also find that same should be granted. The evidence offered in this case easily satisfied the requirements for the grant of a waiver established in Section 26-670(a). The testimony offered by Mr. Reisinger, the County's Building Engineer, and Mr. Walsh, Department of Public Works, was undisputed and persuasive. Their testimony is fully supported by the documentary exhibits offered in this case (See e.g., Petitioners' Exhibits Nos. 5, 6, 7, 8 and 9).

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted for the parking lot, and dismissed as moot for the wetlands creation/water quality area, and pedestrian bridge.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of December, 2000 that the Petition for Special Hearing seeking approval of a waiver, pursuant to Sections 500.6 and 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 517.2 (510.2) of the Baltimore County Code (B.C.C.), of Sections 26-276, 26-670, and 26-172(a)(3) of the Baltimore County Code, to permit asphalt parking, wetland creation/water quality area, and a pedestrian bridge in a riverine floodplain, in accordance with Petitioner's Exhibits 2 and 3, be and is hereby GRANTED.

IT IS FURTHER ORDERED that any appeal of this decision must be filed with the Baltimore County Board of Appeals within thirty (30) days of the date of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs



Baltimore County
Zoning Commissioner

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

December 28, 2000

Douglas Silber, Esquire
Baltimore County Office of Law
400 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
S/S Greenspring Valley Road, 1700' W of Falls Road
(10650 Falls Road)
3rd Election District – 3rd Council District
Meadowwood, Inc. and Baltimore County Department of Recreation & Parks - Petitioners
Case No. 00-446-SPH

Dear Mr. Silber:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact 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. Clarence Elder, President, Meadowwood, Inc.,
12643 Greenspring Avenue, Owings Mills, Md. 21117
Mr. John F. Weber, III, Director, and Ms. Deanna Bailey
Baltimore County Department of Recreation & Parks
Ms. Kimberly Paniati & Ms. Rachel Shea, GPI, 14502 Greenview Ave., Laurel, Md. 20905
Stuart D. Kaplow, Esquire, 15 E. Chapeake Avenue, Towson, Md. 21286-5306
Messrs. Tom Peddy and Herb Fredeking, 10749 Falls Road, Lutherville, Md. 21093
Mr. Geoffrey Berk, Berlane Farm, P.O. 5062, Timonium, Md. 21094-5062
Mr. John Reisinger, Baltimore County Department of Permits & Development Management
Mr. Steven Walsh, Baltimore County Department of Public Works
People's Counsel; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 10650 Falls Road
which is presently zoned R.C.2

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

a waiver pursuant to Section 500.6, BCZR; Section 517.2 (510.2), Building Code; and Sections 26-276, 26-670, 26-172(a)(3), BCC to permit asphalt parking, wetland creation/water quality area and a pedestrian bridge in a riverine floodplain.

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

I, or we, agree to pay expenses of above Special Hearing, 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.

Current Owner:

Meadowwood, Inc. - Clarence Elden, Pres.
Name - Type or Print

Signature

12643 Greenspring Avenue

Address

Telephone No.

Owings Mills MD 21117
City State Zip Code

Attorney For Petitioner:

Douglas Silber
Name - Type or Print

Signature

Balto. Co. Law Office

Company

400 Washington Ave. 410-887-4420
Address Telephone No.

Towson MD 21204
City State Zip Code

Petitioners (Owners by Condemnation):

John F. Weber, III - Director
Balto. Co. Department of Rec. & Parks

Name - Type or Print

Signature

Name - Type or Print

Signature

301 Washington Avenue 410-887-3871
Address Telephone No.

Towson MD 21204
City State Zip Code

Representative to be Contacted:

Deanna Bailey
Name

301 Washington Ave. 410-887-6053
Address Telephone No.

Towson MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING ?

UNAVAILABLE FOR HEARING *

Reviewed By MRK Date 5/1/98

* please notify Deanna Bailey
before you set, at Rec + Parks

ORDER RECEIVED FOR FILING
Date 9/15/98
BY

ZONING DESCRIPTION FOR 10650 FALLS ROAD, ALSO KNOWN AS "MEADOWOOD REGIONAL PARK"

Beginning at a point on the south side of Greenspring Valley Road, which road width varies, at the distance of approximately seventeen hundred (1700) feet west of the intersection of Falls Road and Greenspring Valley Road. Thence forty-nine courses and distances to the Point of Beginning, as follow:

No.	Bearing	Distance
1	S03d04'30"W	575.00'
2	S03d04'30"W	1425.50'
3	S03d04'30"W	754.25'
4	S78d35'00"E	657.75'
5	R=1441.50', L=315.17', S72d19'00"E	314.50'
6	R=1525.38', L= 494.83', S56d44'00"E	492.62'
7	N39d30'00"E	75.00'
8	S50d19'00"E	744.89'
9	N07d58'26"E	523.83'
10	N00d22'46"E	151.33'
11	N07d58'26"E	87.49'
12	N61d30'00"W	141.91'
13	N14d10'00"W	30.00'
14	N67d30'00"E	105.00'
15	N35d30'00"W	56.00'
16	N62d30'00"W	81.00'
17	S72d45'00"W	158.00'
18	N86d30'00"W	105.00'
19	S82d15'00"W	120.00'
20	N83d30'00"W	112.00'
21	N36d45'00"W	96.00'
22	N66d57'00"W	88.85'
23	N12d05'00"E	346.62'
24	N12d02'00"E	406.50'
25	S73d16'00"E	36.25'
26	N24d54'00"E	77.60'
27	S61d33'00"E	177.00'
28	S32d39'00"E	82.25'
29	N83d27'00"E	392.31'
30	N21d09'14"W	99.95'
31	N19d03'20"W	473.24'
32	N10d17'51"W	67.01'
33	N32d13'02"E	149.80'
34	N09d39'46"W	272.00'
35	S80d20'14"W	5.00'
36	N09d39'46"W	101.00'
37	N80d20'14"E	5.00'
38	N09d39'46"W	167.00'

00-446-SPH

39	N53d21'44"W	143.88'
40	N76d32'00"W	150.71'
41	N77d28'05"W	244.67'
42	N14d42'47"E	20.06'
43	N75d44'40"W	107.74'
44	N10d25'26"E	12.05'
45	N79d08'40"W	31.59'
46	N69d38'40"W	610.50'
47	N65d08'40"W	99.00'
48	N62d08'40"W	235.58'
49	N48d04'00"W	63.50'

Being the property recorded in Baltimore County Plat Book 2227, Folio 166, containing 98.556 Acres +/- Also known as 10650 Falls Road and located in the 3rd Election District.

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: #00-446-SPH

10650 Falls Road

Corner of S/S of Greenspring Valley Road W/S of Falls Rd.

3rd Election District - 3rd Councilmanic District

Legal Owner(s): Meadowwood, Inc.

Contract Purchaser: John F. Weber, II

Special Hearing: a waiver pursuant to Section 500.6, B.C.Z.R.; Section 517.2 (510.2) Building Code; and sections 26-276, 26-270, 26-172 (a) (3), Baltimore County Code to permit asphalt parking, wetland creation/water quality area and a pedestrian bridge in a riverline flood plain

Hearing: Monday, December 11, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley 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.

11/21/7 Nov. 23

6435505

CERTIFICATE OF PUBLICATION

TOWSON, MD, 11/22/, 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 11/23/, 2000.

S. Wilkinson
THE JEFFERSONIAN,

LEGAL ADVERTISING

CERTIFICATE OF POSTING

**RE: CASE # 00-446-SPH
PETITIONER/DEVELOPER
(John F. Weber III, Rec. & Parks)
DATE OF Hearing
(12-11-00)**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

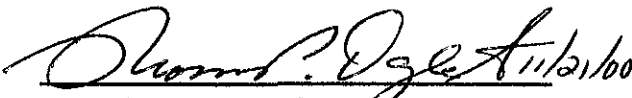
LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

10650 Falls Road Baltimore , Maryland 21093_____

THE SIGN(S) WERE POSTED ON _____ 11-21-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____ THOMAS P. OGLE SR. _____

_____ 325 NICHOLSON ROAD _____

_____ BALTIMORE, MARYLAND 21221 _____

_____ 410-687-8405 _____
(TELEPHONE NUMBER)

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10650 Falls Road

Corner of S/S of Greenspring Valley Road W/S of Falls Rd.

3rd Election District - 3rd Councilmanic District

Legal Owner(s): Meadowood, Inc.

Purchaser: Baltimore County, MD

Special Hearing: a waiver pursuant to Section 500.6, B.C.Z.R.; Section 517.2 (510.2) Building Code; and sections 26-276, 26-270, 26-172 (a) (3), Baltimore County Code to permit asphalt parking, wetland creation/water quality area and a pedestrian bridge in a riverine flood plain

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JT/11/780 Nov. 28

G436916

CERTIFICATE OF PUBLICATION

TOWSON, MD, 11/29/, 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 11/28/, 2000.

THE JEFFERSONIAN,
S. Wilkinson

LEGAL ADVERTISING

RE: PETITION FOR SPECIAL HEARING
10650 Falls Road, Corner of S/S Greenspring
Valley Rd and W/S Falls Rd
3rd Election District, 3rd Councilmanic

Legal Owner: Meadowood, Inc.
Petitioners: Balto. Co. Dept. of Rec & Parks
(Owners by Condemnation)
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-446-SPH

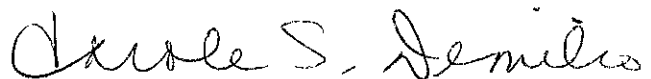
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ENTRY OF APPEARANCE

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.

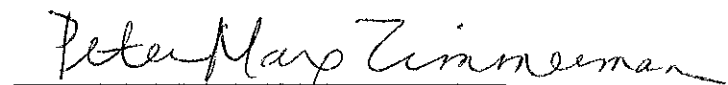
All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

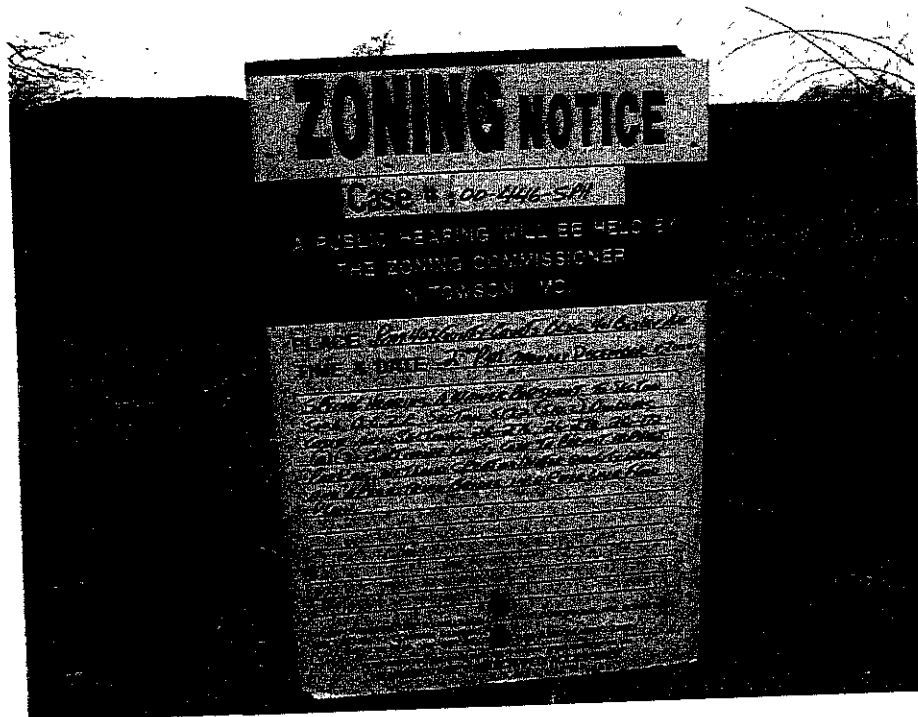

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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 22nd day of May, 2000 a copy of the foregoing Entry of Appearance was mailed to Douglas Silber, Esq., Baltimore County Office of Law, 400 Washington Avenue, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



10650 Falls Road



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

November 9, 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 NUMBER: 00-446-SPH
10650 Falls Road
Corner of S/S of Greenspring Valley Road W/S of Falls Road
3rd Election District – 3rd Councilmanic District
Legal Owner: Meadowwood, Inc.
Contract Purchaser: John F. Weber II

Special Hearing a waiver pursuant to Section 500.6, B.C.Z.R.; Section 517.2 (510.2) Building Code; and sections 26-276, 26-270, 26-172 (a) (3), Baltimore County Code to permit asphalt parking, wetland creation/water quality area and a pedestrian bridge in a riverline flood plain

HEARING: Monday, December 11, 2000 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon", with the initials "GJZ" written below it.

Arnold Jablon
Director

C: Deanna Bailey, 301 Washington Avenue, Towson 21204
Douglas Silber, Baltimore County Law Office, 400 Washington Avenue, Towson
21204
Clarence Elden, President, Meadowwood, Inc., 12643 Greenspring Avenue,
Owings Mills 21117
John F. Weber, III, Director, Balto. Co. Department of Rec. & Parks

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, NOVEMBER 22, 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.





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

November 21 2000

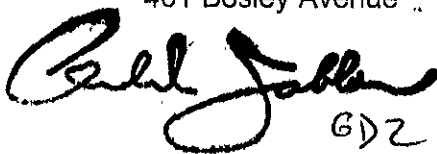
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Purchaser: Baltimore County, Maryland

Special Hearing a waiver pursuant to Section 500.6, B.C.Z.R.; Section 517.2 (510.2) Building Code; and sections 26-276, 26-270, 26-172 (a) (3), Baltimore County Code to permit asphalt parking, wetland creation/water quality area and a pedestrian bridge in a riverline flood plain

HEARING: Monday, December 11, 2000 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue


GDZ

Arnold Jablon
Director

C: Deanna Bailey, 301 Washington Avenue, Towson 21204
Douglas Silber, Baltimore County Law Office, 400 Washington Avenue, Towson
21204
Clarence Elden, President, Meadowwood, Inc., 12643 Greenspring Avenue,
Owings Mills 21117
John F. Weber, III, Director, Balto. Co. Department of Rec. & Parks

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, NOVEMBER 22, 2000**
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TO: PATUXENT PUBLISHING COMPANY
Thursday, November 23, 2000 Issue – Jeffersonian

Please forward billing to:
Deanna Bailey
301 Washington Avenue
Towson, MD 21204

410 887-6053

NOTICE OF ZONING HEARING

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HEARING: Monday, December 11, 2000 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue


Lawrence E. Schmidt
GDZ

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

December 8, 2000

Douglas Silber
Baltimore County Law Office
400 Washington Avenue
Towson, MD 21204

Dear Mr. Silber:

RE: Case Number: 00-446-SPG, 10650 Falls Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 1, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. *gdz*
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: John F. Weber, III, Director, Balto. Co. Department of Rec. & Parks, 301
Washington Avenue, Towson 21204
Deanna Bailey, 301 Washington Avenue, Towson 21204
Meadowood, Inc., Clarence Elden, President, 12643 Greenspring Avenue,
Owings Mills 21117
People's Counsel

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RB*
DATE: June 5, 2000
SUBJECT: Zoning Item #446
Meadow Wood Regional Park

Zoning Advisory Committee Meeting of May 15, 2000

- _____ 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:
- X 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).
- X 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).

Reviewer: Dave Lykens

Date: June 5, 2000

*11/17/00
To WCR
Please make
changes -*

BALTIMORE COUNTY, MARYLAND

**OFFICE OF LAW
INTER-OFFICE CORRESPONDENCE**

November 17, 2000

TO: Arnold Jablon
Director, PDM

FROM: Douglas Silber *DS*
Assistant County Attorney

RE: Notice of Zoning Hearing
Case No. 00-446-SPH

I have received a copy of the above referenced notice. The legal owner of the property is listed as John F. Weber II and the contract purchaser is listed as Meadowwood, Inc. In fact, according to C. Robert Loskot of this office who is handling the condemnation case involving this property, the legal owner is presently "Meadowood, Inc." and the "purchaser" (not the contract purchaser) is "Baltimore County, Maryland". Finally, the president of Meadowood, Inc. is Clarence Elder (not Elden).

I bring these clarifications to your attention and respectfully request that the Notice be corrected as indicated above.

Thank you for your consideration of this correspondence.

DNS:n
Attachment

cc: Deanna Bailey
C. Robert Loskot
John F. Weber



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

Day
November 9, 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 NUMBER: 00-446-SPH

10650 Falls Road

Corner of S/S of Greenspring Valley Road W/S of Falls Road

3rd Election District - 3rd Councilmanic District

Legal Owner: ~~John F. Weber, III~~ *Meadowood, Inc.*

Contract Purchaser: ~~Meadowood, Inc.~~ *Baltimore County, Maryland*

Special Hearing a waiver pursuant to Section 500.6, B.C.Z.R.; Section 517.2 (510.2) Building Code; and sections 26-276, 26-270, 26-172 (a) (3), Baltimore County Code to permit asphalt parking, wetland creation/water quality area and a pedestrian bridge in a riverline flood plain

HEARING: Monday, December 11, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
GDZ

Arnold Jablon
Director

C: Deanna Bailey, 301 Washington Avenue, Towson 21204
Douglas Silber, Baltimore County Law Office, 400 Washington Avenue, Towson 21204

Clarence Elden, President, Meadowood, Inc., 12643 Greenspring Avenue, Owings Mills 21117

John F. Weber, III, Director, Balto. Co. Department of Rec. & Parks

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, NOVEMBER 22, 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.

NOV 15 2000

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: July 14, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For May 22, 2000
Item Nos. 446, 447, 448, 449, 450, 451,
452, 453, 456, 457, 459, 460, 461

and

Case #99-320-SPHXA

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

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

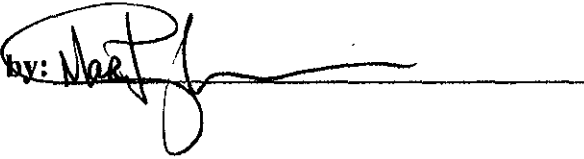
DATE: May 17, 2000

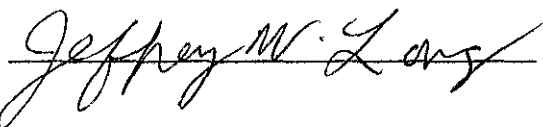
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case 446 and 461

The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: 

Section Chief: 

AFK/JL:MAC

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 31, 2000

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

SUBJECT: 13108 Cherwin Avenue

INFORMATION:

Item Number: 01-021

Petitioner: Allison Martin Anthony Krasauskis

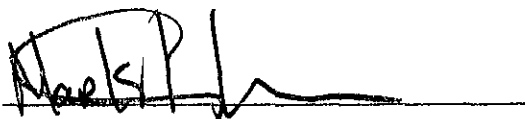
Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit a lot width of 50 feet in lieu of the required 55 in a DR 5.5 zone and to approve an undersize lot per Section 304 of the County Zoning Regulation.

Prepared by:



Section Chief:



AFK:MAC:

TO: 1/11/01
WV
8

BALTIMORE COUNTY, MARYLAND

**OFFICE OF LAW
INTER-OFFICE CORRESPONDENCE**

January 8, 2001

TO: ✓ Arnold Jablon, PDM

FROM: Douglas Silber *DS*

RE: Petition for Special Hearing
Request for Floodplain Waiver
Meadowood Regional Park – Falls and Greenspring Valley Roads

I am enclosing a copy of a recent decision by Larry Schmidt, Zoning Commissioner, in connection with a Petition for Special Hearing for a Floodplain Waiver for the Meadowood Regional Park project at Falls and Greenspring Valley Roads. The waiver was granted. It does not appear from the distribution list on Mr. Schmidt's letter that you were sent a copy.

Please notify me if any appeal of this decision is filed. Thank you.

DNS:n
Attachment

cc: Virginia W. Barnhart
John Beverungen
C. Robert Loskot
John F. Weber

446



Baltimore County
Department of Recreation and Parks

3/17/00
D.B. Wolf
S

301 Washington Avenue
Towson, Maryland 21204
410-887-3871
Fax: 410-825-3305
Deaf/TDD: 410-887-5319

March 10, 2000

Mr. Arnold Jablon, Director
Baltimore County Department of Permits and Development Management
and
Mr. Charles R. Olsen, Director
Baltimore County Department of Public Works
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Floodplain Waiver Request for Meadowood Regional Park

Dear Sirs:

Portions of the Meadowood Regional Park property lie within the 100-year floodplain. To develop the park to meet the County's recreational needs, in accordance with Section 26-670, Waivers, we request a waiver of Section 26-276 Floodplain and Wetland Protection. The parking on the site must be located for access onto Falls Road, and a vehicular crossing of Deep Run would be necessary to keep the parking out of the floodplain. This crossing would be costly and would also prohibit a practical, functional layout of the recreational fields.

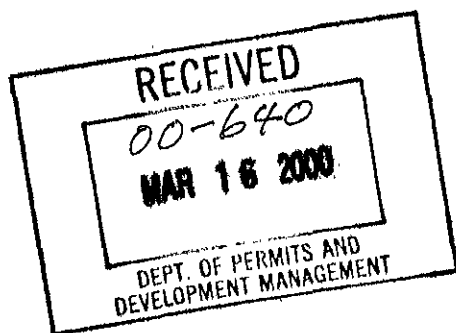
Nature of Construction: The nature of the construction is asphalt parking, wetland creation/water quality area, and a pedestrian bridge that will be located within the floodplain limits. The parking will serve the recreational users of the proposed fields, and the pedestrian bridge is required to provide access across Deep Run to the recreational fields. A plan view of the proposed improvements is attached with this letter.

Floodplain Alteration: Supporting documentation has been attached to show that there will not be any substantial changes to the floodplain. Small areas of fill will be offset by areas in cut so that there will be no net fill in the floodplain. The addition of the bridge and parking will decrease the floodplain between 0.10 to 0.32 feet in the vicinity of the parking. The lower proposed floodplain elevation is due to the increase in water velocity from the proposed asphalt parking surface. The parking will be constructed at existing grades. The bridge involves a small amount of fill for the abutments, but the structure itself is above the 100 year water surface elevation to avoid pressure flow and stream degradation in the bridge vicinity.

Safety Issues: The parking within the floodplain could not be utilized during flood events. The County will install a gate system to limit access to the portions of the parking which are subject to flooding, and will also post warning signs to make the public aware of any potential safety issues.



00-446-SPH



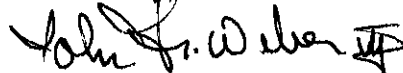
Page two
Messrs. Arnold Jablon and Charles Olsen

March 10, 2000

This County project has great importance for meeting recreational needs in the Northwest sector. The proposed park management will minimize potential hazards to the public. The improvements are proposed in a manner that protects the environment, does not appreciably alter the floodplain, and are in accordance with waivers allowed by the County Code.

Please contact Deanna Bailey, Project Coordinator, Recreation and Parks Capital Planning and Development Section, at x 6053, if you have any questions or need additional information. Thank you for your consideration of this important request.

Sincerely,

A handwritten signature in dark ink, appearing to read "John F. Weber, III", with a stylized flourish at the end.

John F. Weber, III
Director

JFW/vmw

c: Rob Loskot/Doug Silber
Site Resources, Inc./Greenman-Pedersen, Inc.

446

**BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF RECREATION AND PARKS**

Inter-Office Memorandum

To: Mitch Kellman / Carl Richards
From: Deanna Bailey DCB
Subject: Meadowood Regional Park – Revised Floodplain Waiver Request

Date: April 28, 2000

Per my phone conversation with Mitch Kellman, here is the revised information necessary to schedule the Special Hearing for Meadowood Regional Park.

Site/Project Name: **Meadowood Regional Park**

Election District: **3**

Councilmanic District: **3**

Property Address: **S Greenspring Valley Rd, SW corner of Falls Rd.
10650 Falls Road**

The property is in condemnation proceedings. The property is owned by Mr. Clarence L. Elder. His address is 12643 Greenspring Ave., Owings Mills, MD 21117. However, we essentially have all rights of ownership.

Please contact Rob Loskot or Doug Silber in the Law Office with any questions.

I have enclosed three (3) original Petition applications, twelve (12) copies of the Site Plan, one (1) copy of the 200 Scale Zoning Map with the property shown, and a description of the property, as requested. I have also enclosed the original Floodplain Waiver Request letter dated 3/10/00 from Mr. Weber to Mr. Jablon, the Proposed Condition Flood Study prepared by Greenman-Pedersen, Inc. dated 1/31/00, and a copy of the zoning map, which were returned to us with the request for additional material.

Please call me at x6053 if you have any additional questions or requests. Thank you.

/dcb

00-446-SPH

STUART D. KAPLOW, P.A.

ATTORNEYS AT LAW
15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286-3306
TELEPHONE 410-339-3910
FACSIMILE 410-339-3912
E-MAIL SKAPLOW@STUARTKAPLOW.COM

STUART D. KAPLOW

WWW.STUARTKAPLOW.COM

FACSIMILE TRANSMITTAL

DATE: December 16, 2000

TO: **LAWRENCE E. SCHMIDT, ZONING COMMISSIONER**

SENT TO TELEPHONE NUMBER: 410-887-3468

FROM: STUART D. KAPLOW, ESQUIRE

TOTAL NUMBER OF PAGES 2 (INCLUDING THIS PAGE)

OUR TELECOPIER TELEPHONE NUMBER IS 410-339-3912

IF YOU DO NOT RECEIVE ALL PAGES OR HAVE ANY PROBLEM WITH
RECEIVING, PLEASE CALL STUART KAPLOW AT 410-339-3910

MESSAGE:

HAVE YOU VISITED OUR WEBSITE, AT WWW.STUARTKAPLOW.COM, AND OUR
'LIBRARY' OF ARTICLES ON REAL ESTATE, LAND USE, AND ENVIRONMENTAL ISSUES

HARD COPY TO FOLLOW: NO

CONFIDENTIALITY NOTICE

The information in this transmission is intended only for the individual or entity named above. It may be legally privileged and confidential. If you have received this information in error, please notify us immediately and send the original transmission to us by mail. Return postage is guaranteed. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited.

STUART D. KAPLOW, P.A.

ATTORNEYS AT LAW
15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286-5306
TELEPHONE 410-339-3910
FACSIMILE 410-339-3912
E-MAIL SKAPLOW@STUARTKAPLOW.COM

STUART D. KAPLOW

December 16, 2000

WWW.STUARTKAPLOW.COM

Via Facsimile 410-887-3468

Lawrence E. Schmidt, Zoning Commissioner
Zoning Commissioner's Office
401 Bosley Avenue
Towson, Maryland 21204

RE: **John F. Weber, III, Director, Petitioner**
Case No.: 00-446-SPH

Dear Commissioner Schmidt:

As you may recall, this firm represents Foxleigh Enterprises, Inc., Valley Center, LLP and Cockey's Tavern, LLP with respect to the above-noted matter.

By this letter I am withdrawing the request made on behalf of my clients that a condition be imposed in any order granting the relief requested with respect to public parking. That is, my clients do not object to the relief requested being granted without condition.

As you are aware, my clients are not opposed to development in general nor are they opposed to development of the Elder property. Upon further reflection of this matter and in consideration of the always courteous law office, I make this request. Should you have any questions or should I need be of any further assistance to you in this matter, of course, do not hesitate to give me a call.

Sincerely,

Stuart D. Kaplow

SDK:mo

cc: Douglas Silber, Esq., Baltimore County Law Office, 400 Washington Ave., Towson, MD
21204

E:\Stuart\Foxleigh\Foxleigh Park Schmidt ltr-2
12-16-00

STUART D. KAPLOW, P.A.

ATTORNEYS AT LAW
15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286-5306
TELEPHONE 410-339-3910
FACSIMILE 410-339-3912
E-MAIL SKAPLOW@STUARTKAPLOW.COM

STUART D. KAPLOW

WWW.STUARTKAPLOW.COM

December 11, 2000

Lawrence E. Schmidt, Zoning Commissioner
Zoning Commissioner's Office
401 Bosley Avenue
Towson, Maryland 21204

RE: **John F. Weber, III, Director, Petitioner**
Case No.: 00-446-SPH

Dear Commissioner Schmidt:

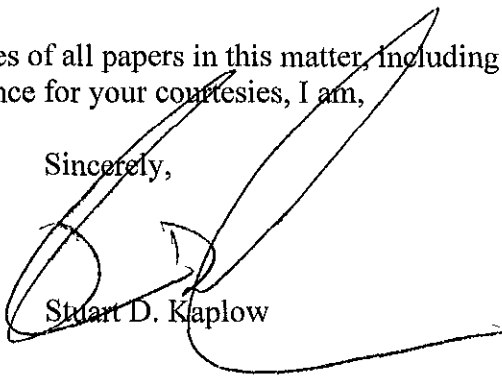
Please enter the appearance of Stuart D. Kaplow and Stuart D. Kaplow, P.A., in the above-noted matter, as counsel for Foxleigh Enterprises, Inc., Valley Center, LLP and Cockey's Tavern, LLP.

The several entities are together and in their own capacities, the owners, developers, and operators of real property and improvements that adjoin, abut, are next to, or are otherwise nearby and impacted by the relief requested.

My clients believe that there are both procedural and substantive flaws material to the hearing scheduled today such that the relief cannot be granted, including, but not limited to a failure to give timely and proper notice.

By this letter I am kindly requesting copies of all papers in this matter, including a copy of any decision rendered. Thanking you in advance for your courtesies, I am,

Sincerely,


Stuart D. Kaplow

SDK:mo

cc: Douglas Silber, Esq., Baltimore County Law Office, 400 Washington Ave., Towson MD
21204

E:\Stuart\Foxleigh\Foxleigh Park Schmidt ltr

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

DOUGLAS SILBER

400 WASHINGTON AVE

Jeanna Bailey

Balto Co. RFP

Kimberly Paniati

GPIB 14502 Greenview Ave Laurel 20905

Rachel Shea

GPF

Steven Walsh BALTO CO
DPW

111 W. CHESAPEAKE AVE





NAME

STUART D / CAPLOW F / Ex/10/11/12/13/14/15/16/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100/101/102/103/104/105/106/107/108/109/110/111/112/113/114/115/116/117/118/119/120/121/122/123/124/125/126/127/128/129/130/131/132/133/134/135/136/137/138/139/140/141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000/1001/1002/1003/1004/1005/1006/1007/1008/1009/1010/1011/1012/1013/1014/1015/1016/1017/1018/1019/1020/1021/1022/1023/1024/1025/1026/1027/1028/1029/1030/1031/1032/1033/1034/1035/1036/1037/1038/1039/10
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111 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204

Phone: 410 887-3391

facsimile transmittal

To: DEANNA BAILEY

From: GEORGE D ZAHNER

Fax: 410 825 3305

Date: 11-21-00

Phone:

Pages: 1 + COVER

Re:

CC:

☐ Urgent

☐ For Review

☐ Please Comment

☐ Please Reply

☐ Please Recycle

Notes:

talked to Susan and to Lute to change
ad

facsimile transmittal

To: Susan From: GEORGE D ZAHNER
Fax: 410 825 4278 Date: 11-21-00
Phone: _____ Pages: 1 + COVER
Re: _____ CC: _____

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Notes:

11-17-93)

Sec. 26-167. Purposes.

(a) These regulations are adopted for the following purposes:

- (1) To protect and provide for the public health, safety and general welfare of the county.
- (2) To implement the future growth and development of the county in accordance with the master plan.
- (3) To provide for adequate light, air and privacy; to secure safety from fire, flood and other danger; and to prevent overcrowding of land.
- (4) To protect the viability of the county's existing communities by ensuring that new development and redevelopment is compatible with the neighborhood and minimizes adverse environmental, traffic and economic impacts on the surrounding community.
- (5) To preserve and protect existing business and industry and provide a system of regulatory controls on development that will foster the growth of business, employment and the economic tax base of the county.
- (6) To implement public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, drainage, schools, parks, street lights and sidewalks, open space tracts, playgrounds, and other recreation facilities and other public requirements and facilities.
- (7) To provide the most beneficial relationships between the uses of land and buildings and the circulation of traffic throughout the county, having particular regard to the avoidance of congestion in the streets and highways, the provisions of access for firefighting and other emergency equipment, and the pedestrian traffic movement appropriate to the various uses; and to provide for the proper location and width of streets and building lines.
- (8) To establish reasonable guidelines, standards of design and procedures for development, in order to further the orderly and beneficial layout and use of land and to ensure that the same standards are applied to all applicants and developments; and to ensure proper descriptions of property boundaries.

- (9) To encourage the wise use and management of natural resources throughout the county in order to preserve the integrity, stability, and beauty of the community and the value of property.
- (10) To preserve the natural beauty and topography of the county and to ensure appropriate development with regard to these natural features.
- (11) To provide for open spaces in order to offer recreational opportunities close to home, to enhance the appearance of neighborhoods through the preservation of natural green spaces, to counteract the effects of urban congestion and monotony, and to encourage participation by all age groups in the use and care of local open space tracts.
- (12) To ensure an adequate supply of land suitable for development.
- (13) To simplify and clarify the development review and approval process.
- (b) Compliance with the development regulations hereinafter set forth and the comprehensive manual of development policies shall be deemed the fulfillment of the development policies set forth in section 26-166 and purposes set forth in section 26-167.

(Code 1978, § 22-38; Bill No. 1, 1992, § 2)

Sec. 26-168. Definitions.

- (a) In this article, the following words have the meanings indicated:
 - (b) (1) "Accessory structure" means a building or other improvement to property:
 - (i) where the use or intended use of which is subordinate and customarily incidental to the use of the principal building; and
 - (ii) that is located on the same lot, parcel or tract.
 - (2) "Accessory structure" includes additions or modifications to the principal building.
- (c) "Agricultural purposes" means any use of land which directly

contributes to the production, processing or storage of agricultural products.

(d) "Alley" means a right-of-way 20 feet or less in width for residential property and 26 feet or less for non-residential property, which provides service access for vehicles to the side or rear of abutting property designated as an alley on either an unrecorded or recorded plat or dedicated as such by deed.

(e) "Applicant" means any person who is an owner, contract purchaser or the legally authorized representative of an owner or contract purchaser requesting approval of development as provided for in this article.

(f) (1) "Arterial street" means a motor way or a portion of a motor way which:

(i) is intended for travel to or from major activity centers, such as town centers; and

(ii) is designed to give priority to traffic movement as opposed to providing direct access to land.

(2) "Arterial street" does not include a freeway or an expressway.

(g) "Building" means a structure enclosed within exterior walls or firewalls for the shelter, support or enclosure of persons, animals or property of any kind.]

(h) "Circulation" means the provision for the movement of people, goods, water, sewage or power by means of streets, highways, railways, waterways, airways, pipes, conduit cables or other means and including facilities for transit, transportation and communication.

(i) (1) "Cluster subdivision" means a residential development of land in a DR-5.5 zone involving the building of residential housing.

(2) "Cluster subdivision" does not include a residential development with single-family detached, semi-detached, and two-family dwellings.

(j) "Collector street" means a street which:

(1) functions to conduct traffic between major arterial streets or activity centers;

- (2) is a principal traffic artery within residential areas;
and
 - (3) may carry a relatively high volume of traffic.
- (k) "Commercial development" means the development of land for any purpose or use permitted as of right or by special exception in commercial zones in accordance with the Baltimore County Zoning Regulations.
- (l) "Community input meeting (CIM)" means an open meeting among representatives of the county, the applicant, owners of adjacent property and representatives of local community associations or umbrella groups for the purpose of presenting and discussing concept plans and proposals. The intent of the CIM is to provide a forum for the discussion and if possible, resolution of community concerns and developer constraints within the context of the county's regulations and guidelines.
- (m) "Concept plan" means a schematic plan that:
- (1) is generally in compliance with county standards and drawn to an appropriate scale.
 - (2) outlines the major features of a proposed development;
and
 - (3) is to be used as the basis for community input meetings.
- (n) "Cul-de-sac" means a local street with only 1 outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.
- (o) "Delinquent account" means any fees or costs certified by the director of budget and finance as due and owing to the county by a person for any development.
- (p) "Development" means:
- (1) The improvement of property for any purpose involving building;
 - (2) A subdivision;
 - (3) The combination of any 2 or more lots, tracts or parcels of property for any purpose;
 - (4) Subjecting property to the provisions of the Maryland

Condominium Act; and

- (5) The preparation of land for any of the purposes listed in subsections (1) through (4) of this subsection.
- (q) "Development plan" means a written and graphic representation of a proposed development prepared in compliance with section 26-203 of this article.
- (r) (1) "Easement" means any interest in the property of another created by grant or by an express or implied agreement.

(2) "Easement" includes any interest, vested in the county by dedication, which confers a right to some advantage, benefit or lawful use in or over the property.
- (s) "Enhancement" means the improvement or development of resource values resulting in a net increase of resource over existing conditions.
- (t) "Environmental agreement" means an agreement concerning an applicant's obligations required by the department of environmental protection and resource management including:
 - (1) Chesapeake Bay critical area management;
 - (2) forest buffer protection;
 - (3) forest conservation;
 - (4) grading or sediment control;
 - (5) stormwater management; and
 - (6) wetland mitigation.
- (u) "Final action" on a development plan means:
 - (1) the approval of a plan as submitted;
 - (2) the approval of a plan with conditions; or
 - (3) the disapproval of a plan by the hearing officer in accordance with section 26-206 of this article.
- (v) "Front building line" means a line beyond which the front foundation wall of a building may not project into the front yard as defined by the zoning regulations of the county.

(w) "Hearing officer" means the county zoning commissioner or the deputy zoning commissioner.

(x) "Improvements" means:

- (1) streets;
- (2) drains, bridges, and culverts;
- (3) sewers;
- (4) water lines;
- (5) open space;
- (6) curbs and gutters;
- (7) sidewalks and paths;
- (8) streetlights;
- (9) landscaping;
- (10) stormwater management facilities;
- (11) traffic-control devices;
- (12) telecommunications conduits; and
- (13) other improvements as determined necessary and appropriate by the county.

(y) "Industrial development" means the development of land for any purpose or use permitted as of right or by special exception in industrial zones in accordance with the Baltimore County Zoning Regulations.

(z) "Local street" means a street which:

- (1) carries traffic between collector streets and individual parcels of land; and
- (2) primarily carries traffic to and from dwelling units to other streets.

(aa) "Lot of record" means a parcel of land:

- (1) with boundaries as shown on a plat prepared pursuant to an approved plan and recorded in the land records of the county; and

- (2) which is governed by the development and zoning regulations in effect on the date of the approval of the plan.
- (bb) "Master plan" means the master plan adopted pursuant to Section 523 of the Charter.
- (cc) "Minor development" means:
 - (1) a development without a public works agreement;
 - (2) a residential development with a public works agreement involving only road widenings; or
 - (3) a development in which the improvements are determined by the director of permits and development management as minimal under § 26-239(b) of this article.
- (dd) "Nontidal wetland" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation. The determination of whether an area is a nontidal wetland shall be made in accordance with the publication known as the "Federal Manual for Identifying and Delineating Jurisdictional Wetlands," published in 1987 and as may be amended.
- (ee) (1) "Open space" means local open space, public parks, or other open space.
 - (2) "Open space" includes a recreational facility, privately owned, or which is owned by or subject to an easement held by the county, state, or federal government, that is:
 - (i) customarily found in public parks; and
 - (ii) reserved for public use and enjoyment.
- (ff) "Panhandle driveway" means the paved roadway which serves 1 or more abutting panhandle lots and provides vehicular access to the local street or to a collector street. A "use in common" agreement is established if the panhandle driveway serves 2 or more abutting panhandle lots.
- (gg) "Panhandle lot" means a lot so shaped and situated that its only frontage or access to the local or collector street is a narrow strip of land which is held in-fee, except as

provided in section 26-266, and which may contain a panhandle driveway, water and sewer lines and other utilities.

(hh) "Party" means:

- (1) the applicant;
- (2) an owner of a property adjacent to the property which is the subject of the plan;
- (3) a local community association or umbrella group which meets the requirements of section 26-209(a)(1) of this article;
- (4) a representative of the county; or
- (5) any person known to the county whose personal or property rights may be specially and adversely affected by final action on a plan in a manner different than that of the public generally.

(ii) "Performance security" means a letter of credit, cashier's check, or cash delivered to the county to assure performance and completion of the public or private improvements required in this title.

(jj) "Person" means an individual, partnership, all partners in a partnership, corporation, joint venture, all participants in a joint venture, trustee, personal representative or other legal entity.

(kk) "Persons aggrieved" means a person:

- (1) who is a party to the community input meeting, the development plan conference, or the proceedings under section 26-206 of this article; and
- (2) whose personal or property rights are specially and adversely affected by final action on a plan in a manner different than that of the public generally.

(ll) "Plan" means the development plan except where noted.

(mm) "Planned industrial park" means an industrial development:

- (1) for which a plan has been approved; and
- (2) which is under common ownership or control.

- (nn) "Plat" means the graphic representation of the development prepared pursuant to the approved plan for the purpose of recording in the land records of the county.
- (oo) "Prime and productive soils" means soil types defined in the U.S.D.A. Soil Survey of Baltimore County, issued March 1976 and as updated, as agricultural capability:
- (1) class I, II, or III; or
 - (2) woodland class 1 or 2.
- (pp) "Private improvements" means improvements required by the county as a condition of development that are not intended to be dedicated to the county.
- (qq) "Public improvements" means improvements required by the county as a condition of development which are intended to be dedicated to the county in fee simple or by other interest in title.
- (rr) "Public works agreement" means an agreement between the county and the applicant for the construction of public or private improvements required by the county.
- (ss) (1) "Quarry" means any open pit mine from which rock, stone, or minerals are extracted.
- (2) "Quarry" does not include a sand or gravel extraction operation.
- (tt) "Reclamation development plan" means the written and graphic presentation of the proposed use of a quarry prepared in compliance with division 5 of this article.
- (uu) (1) "Reclamation property" means the site of a legally operating quarry and all contiguous or adjacent property in common ownership.
- (2) "Reclamation property" includes property that may be separated by public streets and containing a minimum of 300 acres.
- (vv) "Residential development" means the development of land for any purpose or use permitted as of right or by special exception in residential zones in accordance with the Baltimore County Zoning Regulations.
- (ww) "Right-of-way improvement agreement" means an agreement concerning the installation or construction of all or part

of the improvements required by the county.

(xx) "Steep slope" means an area where the natural grade is 25% or greater.

(yy) "Street" means:

(1) (i) any street, avenue, boulevard, road, lane, parkway, freeway, viaduct, bridge or other way, which is an existing state or county highway; or

(ii) a street or way shown on a plat duly filed and recorded in the office of the clerk of the circuit court for the county.

(2) "Street" includes:

(i) the land between the street right-of-way lines, whether improved or unimproved; and

(ii) the pavements, shoulders, curbs and gutters, sidewalks, parking areas and other areas within the street right-of-way lines.

(zz) "Subdivision" means:

(1) the division of property into 2 or more lots; or

(2) the combination of lots, parcels, tracts or other units of property previously divided for the purpose, whether immediate or future, of sale, rental or building development.

(aaa) "Tidal wetland" means all state and private tidal wetlands, marshes, submerged aquatic vegetation, lands and open water affected by the daily and periodic rise and fall of the tide within the Chesapeake Bay and its tributaries, and additional tidal wetlands identified through site inspection by the department of environmental protection and resource management that are subject to the daily and periodic rise and fall of the tide.

(bbb) "Utility agreement" means an agreement concerning the installation or construction of all or part of the improvements required by the county.

(Code 1978, § 22-39; Bill No. 172, 1989, § 2; Bill No. 1, 1992, § 2; Bill No. 173-93, § 3, 11-17-93; Bill No. 8-96, § 3, 3-23-96; Bill No. 49-96, § 15, 7-1-96; Bill No. 38-98, § 4, 6-20-98)

Cross reference(s)--Definitions and rules of construction generally, § 1-2.

Sec. 26-172. Waivers.

(a) At the request of a department director, the hearing officer may grant a waiver of any or all requirements of division 3, 4 and 5 of these regulations if the hearing officer finds that:

(1) a. The size, scope and nature of a proposed development does not justify strict compliance with these regulations;

b. A waiver would be within the scope, purpose and intent of these regulations; and

c. All other county laws, ordinances and regulations have been complied with; or

- (2) Compliance with these regulations would cause unnecessary hardship.
 - (3) A waiver shall be in accordance with the floodplain management regulations.
- (b) A waiver from the requirements of section 26-203 of this Code and from the hearing officer's hearing may be granted under the following conditions:
- (1) After consultation with appropriate county agencies the director finds:
 - a. That the size, scope, and nature of a proposed development does not justify strict compliance with these regulations; and
 - b. That a waiver would be within the scope, purpose, and intent of these regulations; and
 - c. That the proposed development complies with all other county laws, ordinances, and regulations.
 - (2) Before proposing to grant a waiver for development within the critical area, the director of planning shall obtain recommended findings from the director of the department of environmental protection and resource management which shall be based on the standards specified in section 26-205(b)(2)d.

(Code 1978, § 22-43; Bill No. 18, 1990, § 2; Bill No. 1, 1992, § 2; Bill No. 173-93, § 3, 11-17-93; Bill No. 8-96, § 3, 3-23-96)

Sec. 26-276. Floodplain and wetland protection.

- (a) No development in any riverine floodplain shall be permitted, except the establishment of property subdivision lines and the installation of any pond, culvert, bridge, street, utility or drainage facility that the county finds not detrimental to floodplain management programs. If the floodplain is shown on the FIRM, any increase in the existing base flood elevation shall be limited to one (1) foot maximum, except no encroachment in the floodway causing any increase in the existing base flood elevation shall be permitted. No dredging, filling or construction in any wetland shall be permitted. Any wetland must be adequately protected from contamination. It is the purpose of this section to reduce losses to life and property from flooding, to obviate the need for public expenditures for flood protection, and to protect or enhance the environmental quality of watersheds. *under the line here*
- (b) In areas where the base flood elevation has not been established, the 100-year floodplain and flood elevation shall be determined by means of a flood study prepared in accordance with the requirements of the department of public works design manual and sealed by a registered professional engineer prior to the issuance of a permit or the recording of a subdivision plat.

(Code 1978, § 22-98; Bill No. 173-93, § 3, 11-17-93)

Cross reference(s)--Flood damage prevention, § 14-96 et seq.

Cross reference(s)--Water and sewers, tit. 35.

Sec. 26-269. Drainage.

Proposed drainage facilities must be adequate to accommodate the amount of runoff that would be generated by the proposed development and from the entire upstream area, if the area were fully developed in accordance with the zoning regulations in effect at the time of design or construction. Development shall not increase the extent of the floodplain on neighboring properties.

(Code 1978, § 22-88; Bill No. 173-93, § 3, 11-17-93)

Sec. 26-670. Waivers.

Waivers may be granted to the terms of the floodplain regulations as provided in section 26-172. The hearing officer, as defined in section 26-168, shall hear and decide requests for waivers from the requirements of this article. Conditions may be attached to the waiver action, and waiver actions must be consistent with sound floodplain management. For any waiver issued in a floodplain, whether tidal or riverine, all applicable conditions of section 26-668 of this Code, and section 517.1 of the Building Code entitled, "Areas subject to tidal flooding" shall be met. Waivers may not be issued except as specified below.

(a) *Reasons for granting.* Waivers shall only be issued upon:

- (1) A showing of good and sufficient cause;
- (2) A determination that failure to grant a waiver would result in exceptional hardship (other than economic) to the applicant; and
- (3) A determination that the granting of a waiver will not increase flood heights, impact public safety, incur extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with

will not increase flood heights, except for bridge

existing local and state laws and ordinances.

The waiver action shall be the minimum necessary, considering the flood hazard, to afford relief. In considering a waiver action, comments from the state coordinating office of the water resources administration and the county department of public works must be taken into account and maintained with the permit file.

Substantial improvements to historic structures which do not comply fully with the elevation and construction requirements must receive an approved waiver. Such buildings must retain historic structure designation as a condition of a waiver.

(b) *Conditions.* Waivers may not be granted for the following:

- (1) Placement of fill or any development in the floodway if any increase in flood levels would result; or
- (2) New buildings in the riverine floodplain.

For any waiver issued, a letter shall be sent to the applicant indicating the terms and conditions of the waiver, the increased risk to life and property in granting the waiver, and the increased premium rates for National Flood Insurance Coverage. The applicant shall be notified in writing of the requirement for recordation of these conditions on the deed or memorandum of land restriction prior to obtaining a permit, and of the need to secure all necessary permits as condition for granting a waiver. The memorandum is described in article 3-102 and 3-103 of the Real Property Article of the Annotated Code of Maryland.

The county shall maintain a record of all waiver actions and the justification for their issuance, as well as all correspondence. This record must be submitted as a part of the biennial report to the Federal Emergency Management Agency, and be available for periodic review. The number of waiver actions should be kept to a minimum.

BALTIMORE COUNTY, MARYLAND,
A Body Corporate and Politic,

Plaintiff,

v.

MEADOWOOD, INC., et al.,

Defendants.

* IN THE
* CIRCUIT COURT

* FOR

* BALTIMORE COUNTY

*

Case No. 03-C-98-6304

*

ORDER

Before the Court is the Motion for Partial Summary Judgment filed by Plaintiff Baltimore County. The Court has reviewed and considered Plaintiff's Memorandum of Law in Support of its Motion together with the documents attached thereto ("Plaintiff's Motion"), the Opposition to Plaintiff's Motion for Partial Summary Judgment and the affidavits and exhibits attached thereto, filed by Defendant Meadowood, Inc. ("Defendant's Opposition"), the Reply Memorandum with supporting documents submitted by Plaintiff, the Supplemental Reply Memorandum with supporting documents submitted by Plaintiff, the chronology submitted by Defendant, the Supplemental Opposition to Plaintiff's Motion for Partial Summary Judgment with supporting exhibits submitted by Defendant, the Second Supplemental Reply Memorandum with supporting documents submitted by Plaintiff, and the contentions advanced by the parties at the various oral arguments. For the reasons set forth in Plaintiff's various Memoranda and arguments, as well as for those reasons stated in open court during the hearing on June 14, 1999, it is this 14th day of June

_____, 1999, **ORDERED**, by the Circuit Court for Baltimore County, that Plaintiff's

FILED JUN 21 1999

Motion for Partial Summary Judgment be, and it is hereby, **GRANTED**, and that Plaintiff be, and it is hereby, allowed to proceed with its acquisition of the subject property pursuant to Article III, § 40, of the Constitution of Maryland, Title 12 of the Real Property Article of the Annotated Code of Maryland, and Title 2, Article I, of the Baltimore County Code, to condemn the subject private property for public purposes and use in Baltimore County.

In the alternative, while the Court has found otherwise, if it ultimately is decided that the presence of genuine disputes of material fact did exist, thereby obviating this Court's entry of Partial Summary Judgment on behalf of Plaintiff, then this Court exercises its discretion and considers Plaintiff's Motion as one made under Maryland Rule 2-502, pursuant to which this Court, on its own initiative, has bifurcated the captioned litigation, has found facts after receiving the evidence from the parties as aforesaid, and has drawn all appropriate inferences therefrom. Accordingly, this Court finds that both a public use and a public necessity exist for the land sought to be acquired herein, and that the County's decision to condemn the subject property was not arbitrary, oppressive or in bad faith. As a result, for the reasons stated in open court at the hearing on June 14, 1999, it is this _____ 14th day of June, 1999, **ORDERED**, by the Circuit Court for Baltimore County, that Plaintiff be, and it is hereby, allowed to proceed with its acquisition of the subject property pursuant to Article III, § 40, of the Constitution of Maryland, Title 12 of the Real Property Article of the Annotated Code of Maryland, and Title 2, Article I, of the Baltimore County Code, to condemn the subject private property for public purposes and use in Baltimore County.

Marshall A. Levin

Marshall A. Levin

JUDGE, Circuit Court for Baltimore County

cc: Virginia W. Barnhart
County Attorney
C. Robert Loskot
Assistant County Attorney
400 Washington Avenue, Second Floor
Towson, Maryland 21204

Marc Seldin Rosen, Esquire
Michael S. Warshaw, Esquire
Scanlan, Rosen & Shar, LLC
26 South Street
Baltimore, Maryland 21202-3272

Dale S. Zeitlin, Esquire
Zeitlin & Zeitlin, P.C.
3200 East Camelback Road, Suite 300
Phoenix, Arizona 85018

Michael F. Delea, Jr., Esquire
400 Allegheny Avenue
Towson, Maryland 21204

True Copy Test
SUZANNE MENSCH, Clerk
Per *Suzanne Mensch*
Assistant Clerk

Copies Mailed: _____

Inter-Office Memo
Baltimore County, Maryland

DATE: April 27, 2000

TO: John F. Weber, III, Director
Department of Recreation & Parks

FROM: Charles R. Olsen, Director
Department of Public Works

SUBJECT: Proposed Meadowood Park
-- Request for Floodplain Waiver

We have completed our review of the floodplain study performed for Recreation and Parks in conjunction with their proposal to construct parking areas in the 100-year floodplain of Deep Run in the Jones Falls watershed and we are prepared to support your request for a waiver of construction in the floodplain.

From an examination of the development of this property for recreational use as is proposed, we believe that the best overall solution for providing the parking necessary to serve the planned programs is to construct at-grade parking on the Falls Road portion of the site.

Possible on-site parking could be developed in different areas of the site either with access from Falls Road (Maryland Route 25) or Greenspring Valley Road (Maryland Route 130) both of which are State roads. We have met on several occasions with the State Highway Administration to discuss the potential access points. Greenspring Valley Road is one lane in each direction with no shoulder while Falls Road is one lane in each direction and has a full width shoulder on both sides. The full shoulder provides an acceleration and deceleration lane for those using the parking facility and can serve as a bypass lane for left turning vehicles. With the higher traffic volumes on Greenspring Valley Road it would be highly desirable to have a bypass lane to avoid back-ups from vehicles turning left into a parking lot. Right-of-way does not exist at this location and obtaining it would be very difficult.

The establishment of parking off-site would entail the acquisition of additional property and would require users of the park to cross heavily traveled State roads to reach the park.

Neither the Baltimore County Department of Public Works nor the State Highway Administration could recommend utilization of Greenspring Valley Road as the access to a parking facility for users of Meadowood Park. Access to a parking facility via Falls Road would have considerable traffic safety advantages over an access via Greenspring Valley Road.

John F. Weber, III

April 27, 2000

Page 2

With careful planning and design of parking facilities to minimize any impacts to the 100-year floodplain of Deep Run, we are of the opinion that a waiver of construction for surface parking in the floodplain will not significantly effect the downstream property owners and will result in a facility which functions at a higher level of safe traffic operation than at any other location on the property.

CRO/THH/tmm

c: Douglas Silber
Dave Thomas
Deanna Bailey

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

Date: December 8, 2000

To: John F. Weber III, Director
Department of Recreation and Parks

From: Edward C. Adams, Director
Department of Public Works *E. Adams*

Ref No 6

Subject: Proposed Meadowbrook Park

To follow up the April 27, 2000 letter from Charles R. Olsen to you concerning this subject, we wish to further clarify this Department's position on your application for a waiver for the construction of a portion of the parking lot, pedestrian bridge, and water quality (drainage) facility within the limits of the 100 year floodplain. We have reviewed the floodplain study provided by Greenman-Pedersen and have concluded that the construction would not be detrimental to Baltimore County Floodplain Management Programs.

With respect to the other concerns raised in Section 26-276 of the Code, the FIRM maps show the floodplain limits as approximate, and do not establish a base flood elevation. And, as there is no "floodway" in this area, the Code's prohibition of encroachment in a floodway is not an issue here.

We have also reviewed the comments contained in the November 20, 2000 letter from Mr. John Joyce of the Maryland Department of the Environment, and concur with his conclusions and recommendations. Accordingly, we support your application and recommend approval of any waiver required in connection with construction of these items in the 100 year floodplain.

ECA:WWK:SAW

cc: File
Deanna Bailey
Tom Vidmar



MARYLAND DEPARTMENT OF THE ENVIRONMENT

2500 Broening Highway • Baltimore, Maryland 21224

(410) 631-3000 • 1-800-633-6101 • [http:// www. mde. state. md. us](http://www.mde.state.md.us)

Parris N. Glendening
Governor

November 20, 2000

Jane T. Nishida
Secretary

Ms. Deanna C. Bailey
Baltimore Co. Dept. of Recreation and Parks
301 Washington Avenue
Towson, MD 21204

Ref No 7

RE: Proposed Meadowood Regional Park - Floodplain Issues

Dear Ms. Bailey:

I have reviewed the plans for the proposed Meadowood Regional Park and have discussed them with Mr. David Thomas of the Baltimore County Department of Public Works. The proposed park will have parking and a pedestrian bridge in the 100-year floodplain of Deep Run. There is no floodway in this portion of Deep Run. I understand that the pedestrian bridge will be elevated above the 100-year flood elevation and will have engineering certification that it will withstand the forces of the 100-year flood. An at-grade parking lot will be provided, approximately half of which will be in the 100-year floodplain. The Department of Recreation and Parks has agreed to place signage in the lot notifying of the flood hazard, and to secure the floodplain portion of the lot to prevent parking there at all times except when special events are being held and Parks personnel will be on site. The County is requesting floodplain waiver for the above plan.

This office has no objection to the granting of the waiver, provided that the above conditions are always met. We request that these conditions be clearly stated as part of the waiver action. We are especially concerned that the County will continue to implement the locking of the floodplain portion of the lot when park personnel are not present in the park, and that this be enforceable. We strongly recommend that a clear procedure be presented to notify park personnel of an impending flood in time to evacuate the cars in the lot before impairment by floodwaters.

Thank you for the opportunity to comment on the proposed Meadowood Regional Park, and your attention to good floodplain management.

If you have any questions, I may be reached at (410) 631-3914.

Sincerely,

John M. Joyce, Manager
Community Assistance Program

JMJ

CC: Dave Thomas, DPW



MARYLAND DEPARTMENT OF THE ENVIRONMENT
2500 Broening Highway • Baltimore, Maryland 21224
(410) 631-3000

Parris N. Glendening
Governor

Jane T. Nishida
Secretary

December 6, 2000

Douglas N. Silber, Esquire
Assistant County Attorney
Baltimore County Office of Law
400 Washington Avenue
Towson, Maryland 212204

Feb No 8

Re: Your letter of December 4, 2000
Concerning Floodplain Waivers

Dear Mr. Silber:

You asked whether Mr. John Joyce's comments, provided in connection with a floodplain waiver request for a portion of the proposed "Meadowood Regional Park" being developed by Baltimore County Department of Recreation and Parks, are the equivalent of "comments from the state coordinating office of the water resources administration. . .", in accordance with Sec. 26-670 of the Baltimore County Code.

Before being transferred from the Maryland Department of Natural Resources to Maryland Department of Environment (MDE), Mr. Joyce performed the function of "state coordinating office of the water resource administration." Since the program was transferred to MDE, Mr. Joyce has continued to perform this same function as part of his job in the Technical and Regulatory Services Administration within MDE. Therefore, it was proper for MDE, through Mr. Joyce, to provide comments to Baltimore County in order to fulfill the requirement of Sec. 26-670 of the Baltimore County Code.

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

Very truly yours,

Robin Grove
Deputy Director
Technical and Regulatory Services
Administration

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

Date: December 8, 1999

To: Jean Tansey, Chief
Capital Planning and Development
Department of Recreation and Parks

From: Sheldon S. Epstein, Chief
Storm Drain Section
Department of Public Works

SSE epk

Subject: Proposed Meadowbrook Regional Park
floodplain model

ATTN: Deanna Bailey

We have reviewed the floodplain study for existing conditions for the above referenced project and find it to be acceptable.

If you have any questions, please do not hesitate to call Steve Walsh @ x3711

SSE:SAW

cc: File

Ref No 9

meadowbrook2.doc

#446

Proposed Condition Floodplain Study for
the Meadowood Park

Baltimore County, Maryland

Prepared for:

Baltimore County Department of Recreation and Parks

Towson, Maryland 21204-4488

Prepared by:

Greenman-Pedersen, Inc.

14502 Greenview Drive, Suite 100

Laurel, Maryland 20708

(410-880-3055)

January 31, 2000

00-446-SPH

Hydraulic Analysis Report

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1.0 INTRODUCTION

Greenman-Pedersen Inc. (GPI) prepared this floodplain study of the proposed conditions of the proposed Meadowood Park in Brooklandville, Maryland (Figure 1). The Jones Falls flows through the southern portion of the property, fed by two tributaries named Deep Run and Dipping Pond Branch. Downstream of the proposed park, Jones Falls flows into Lake Roland, and ultimately to the Patapsco River. The proposed park will include a 3-acre parking lot located partially within the 100-year floodplain, as well as a pedestrian bridge crossing over Deep Run from this parking lot. The lot will be located adjacent to the intersection of Deep Run and Greenspring Valley Road.

Previously, G.W. Stephens Associates, Inc. prepared a hydrologic and hydraulic study of the site in June 1993 as part of another study. The study included a full topographic survey of the study site, HEC-2 cross sections, development of ultimate conditions site hydrology, and an existing condition 100-year floodplain study. GPI reviewed the results of this study and determined that the G.W. Stephens study was acceptable and reflects existing conditions on the site with the exceptions documented in the existing conditions flood study. The primary exception was the change in the 100-year discharge from 8295 cfs as documented by the Baltimore County Jones Falls Study, to 9295 cfs as estimated by G.W. Stephens (see Table 1). In this latest review, GPI added the proposed pedestrian bridge and the proposed parking lot grading and determined that the proposed floodplain elevation does not impose on the state maintained Falls Road.

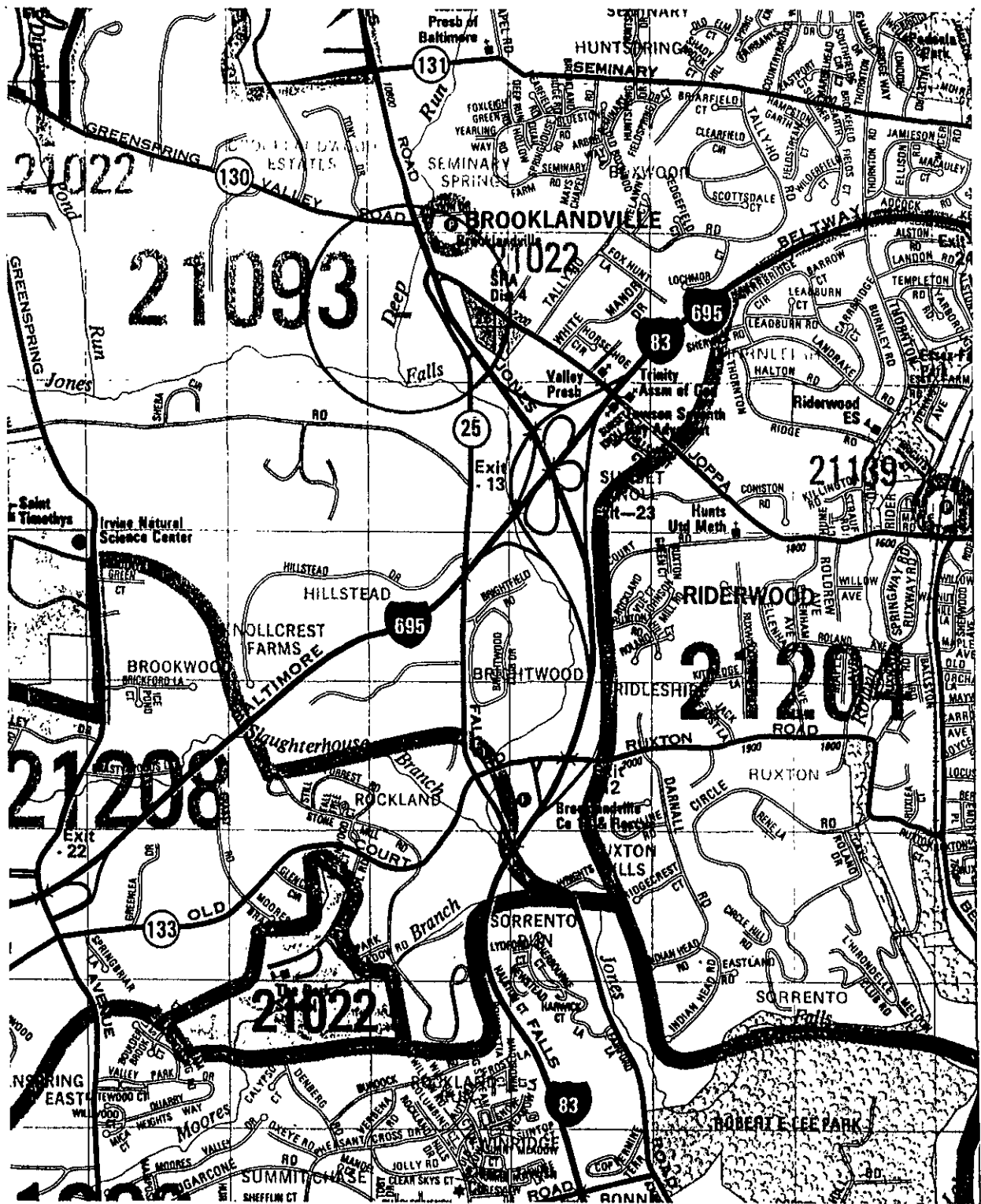


Figure 1- Vicinity Map

2.0 METHODOLOGY

2.1 Permit Requirements

The design and permitting of the new crossing are subject to local and state government review. A "Joint Application" for wetlands impact and waterway changes is being submitted to MDE. This report is part of the permit. The Baltimore County Soil Conservation District will enforce local level sediment and erosion control. The specifications will be County standards with modifications as required to meet state/federal guidelines.

2.2 Hydrologic Analysis

The 100-year present development floodplain results were adopted by FEMA for the Baltimore County Flood Insurance Study. The FEMA floodplain for the Jones Falls and its two tributaries are shown on FEMA FIRM Panel 240010 0245 E. The drainage area to the crossings is shown in Figure 2.

G.W. Stephens based the site hydrology on results of the Jones Falls Watershed Study, prepared by Baltimore County in 1980. The Jones Falls Study included four study points within the study site (Sections 105 through 108). The study did not analyze discharges from the western tributary, which is not delineated on the USGS Quad sheets that were used for the study. G.W. Stephens prepared ultimate conditions TR-55 and TR-20 analyses of the western tributary watershed to obtain 100-year discharges for their floodplain study. Table 1 presents the ultimate conditions discharges that G.W. Stephens used for their existing condition 100-year floodplain study.

Table 1 - 100-Year Discharges in Meadowood Park

TR-20 Study Cross Section	Drainage Area (mi ²)	100-Year Discharge (cfs)	Source
Section 105 Western Edge Of Study Site	16.86	8,185	Jones Falls Study
Dipping Pond Run	0.69	474	G.W. Stephens TR-55, TR-20
Section 106 Jones Falls Mainstem Below Confluence With Dipping Pond Run	17.55	9,295 (8,295)	G.W. Stephens HEC-2 input (Jones Falls Study)
Section 107 Deep Run	2.29	1,708	Jones Falls Study
Section 108 Jones Falls Mainstem Below Confluence With Deep Run	19.84	9,840	Jones Falls Study

GPI reviewed the results of the Jones Falls watershed Study and G.W. Stephens' inputs to the existing condition 100-year floodplain analysis. The Jones Falls study indicates a discharge of 8,295 cfs at cross section 106, not the 9,295 cfs used by G.W. Stephens. Because the lower discharge is indicated in the Jones Falls Study, GPI is assuming that the discharge of 9,295 cfs was a typographical error and corrected it for the current floodplain study.

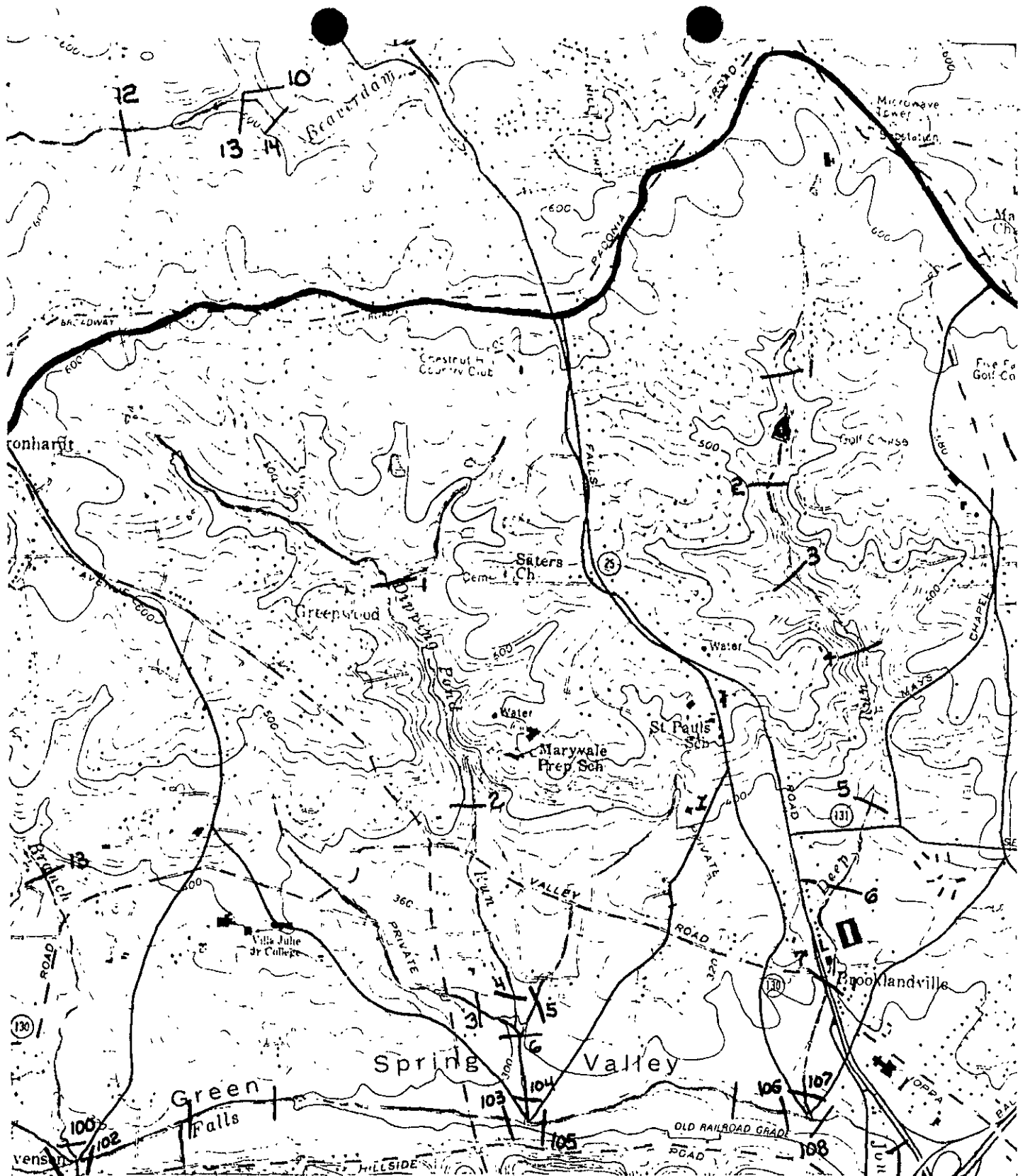


Figure 2 - Drainage Area Map

2.3 Hydraulic Analysis

G.W. Stephens prepared a HEC-2 hydraulic model of the Meadowood Property in 1993 using field run topography of the site. GPI converted the HEC-2 file into a HEC-RAS file and reran it using discharges developed by a G.W. Stephens' study (Appendix A). GPI then submitted a 100-yr existing condition floodplain with no changes to the hydraulic parameters, which has been approved. The following details the methodology and justification for changes to the existing conditions model as well as observations and results of adding proposed grading, land use, and a pedestrian bridge. These changes enabled the conservative estimation of the proposed conditions 100-year floodplain.

3.0 HYDRAULIC ANALYSES

3.1 Existing Conditions

The previously submitted existing conditions HEC-RAS model contained three reaches at critical water surface elevations, and one reach that entered supercritical flow conditions. Also the distribution of flow was such that the wide and shallow overbanks carried the majority of the 100-year discharge. Therefore, changes were made to the existing conditions model including the addition of a cross-section, establishment of a levee, and an increase in Manning's Roughness coefficients.

The typical stream length between established cross-sections is about 100 ft, but the distance between sections 32 and 33 is 400 ft. Because section 33 experiences critical water surface elevations, an interpolated section 32.5 was added in an attempt to smooth the transition and alleviate subcritical conditions upstream. Topographic mapping was used to create this cross-section. Unfortunately, the transition from the relatively steep slope and relatively high velocity (7.42 ft/s) of Deep Run to the lower velocity of Jones Falls (2.90 ft/s) causes a problem with convergence. This creates a critical water surface elevation at section 32.5 that does exist in the stream. The next condition of concern was the variable movement of flow from the channel into the overbanks and back into the channel. Section 44 is forced into a critical condition because section 43 is the beginning of a left overbank channel that runs parallel to Deep Run to its confluence with Jones Falls. Therefore, an artificial levee was established on the left overbank of section 43 to stabilize section 44. Finally, the Manning's roughness values were contributing to the instability of the model. In the GW Stephens Study, grassland overbanks were set to a roughness of 0.03, while the channel was set to 0.045. As a conservative estimate, roughness values of both overbanks and the channel were increased to 0.05, which eliminated supercritical flow conditions downstream of the bridge. All three of these changes in unison established a more stable model, whose floodplain was not significantly different than that which was previously submitted. See Table 2 for a comparison of the water surface elevations.

The flood elevations for the existing floodplain at the proposed crossing were then estimated by adding cross section 37.3 at the upstream edge of the proposed pedestrian bridge location. The cross section was developed using field-run survey data for the channel area, while the stream thalweg elevation was interpolated between the downstream and upstream HEC-RAS cross sections. Figure 3 shows the cross section locations. Table 2 summarizes the 100-yr flood hydraulics results for the existing floodplain of Deep Run. The 100-year floodplain is delineated on Figure 3, and the 100-year profile is shown on Figure 4. The HEC-RAS hydraulic input and output for the existing floodplain is listed in Appendix B. Establishment of a more stable existing conditions model and floodplain provided the framework for the addition of proposed conditions.

Table 2 - Existing WSEL versus Approved Existing WSEL

Section	Water Surface Elevation		Change in WSEL
	Old Existing	Revised Existing	
32	280.32	280.35	0.03
32.5		281.47	-
33	283.37	283.91	0.54
34	284.64	284.56	-0.08
35	285.36	285.72	0.36
36	286.03	286.32	0.29
37	286.58	286.93	0.35
37.3	286.99	287.34	0.35
38	287.49	287.78	0.29
39	288.44	288.67	0.23
40	289.88	290.27	0.39
41	291.36	291.69	0.33
42	292.96	293.21	0.25
43	293.85	294.43	0.58
44	295.58	295.39	-0.19
45	296.19	296.31	0.12
46	296.35	296.67	0.32

3.2 Proposed Crossings

The proposed conditions consisted of bridge decking, grading for bridge approaches and abutments, and grading for a parking lot. Changes in grading required revision of the cross-sections. In order to represent the changes in landcover, the Manning's Roughness values were also changed. Asphalt will cover the parking lot, and the remaining grassland on the East side of the stream will be planted with trees in a light density pattern. A water quality pond (1-2 feet in depth) to be constructed at the South end of the parking lot will also support light density trees. Short grassland will be maintained for the playing fields located on the West side of the stream. As in the existing conditions flood study, a 25 to 30 feet buffer of heavy density trees/brush was assumed to cover portions of the stream banks of Deep Run.

After adding the proposed grading and changes in land use, it was apparent that the smoothness of the asphalt parking area was again sending select cross-sections into critical/supercritical flow conditions. Upon further consideration, it was noted that curbing and medians running perpendicular to the stormflow path, would justify an increase in Manning's roughness from the typical smooth surface value of 0.014 to a more conservative estimate of 0.025. At this point, the floodplain was evaluated for the effect of the proposed grading and landuse as well as the proposed pedestrian bridge.

A proposed crossing will straddle the stream channel but will be constructed above the ultimate 100-year floodplain. However, the placement of bridge abutments and the fill necessary for the bridge approach could constrict flow enough to have an effect on the floodplain. By using the proposed grading and interpolating the thalwegs from the profile, GPI established cross-section 37.2 in addition to 37.3 for analysis of the pedestrian bridge. Figure 5 shows the bridge location in this cross-section. The bridge abutment will be lined with rip-rap. GPI assumed the bridge would be flat with a thickness of 1 foot (8" beam and 4" decking) and width of 10 feet. Since the crossing straddles the channels, the abutments modified only the overbanks. The bridges will be secured to abutments, which will be set 10 ft. back from the stream banks. In order to meet handicap access requirements, the landings were graded by 1:20 slope (5%) to meet existing grade. Table 3 summarizes the crossing dimensions. The stream crossings were simulated within HEC-RAS to define the bridge decking and the lower chord. Table 4 provides a comparison of the ultimate 100-year flood hydraulics results between the existing conditions and the proposed crossing of Deep Run. The 100-year profile with the proposed crossing is shown on Figure 4. The HEC-RAS hydraulic input and output for the proposed floodplain are listed in Appendix C for Deep Run.

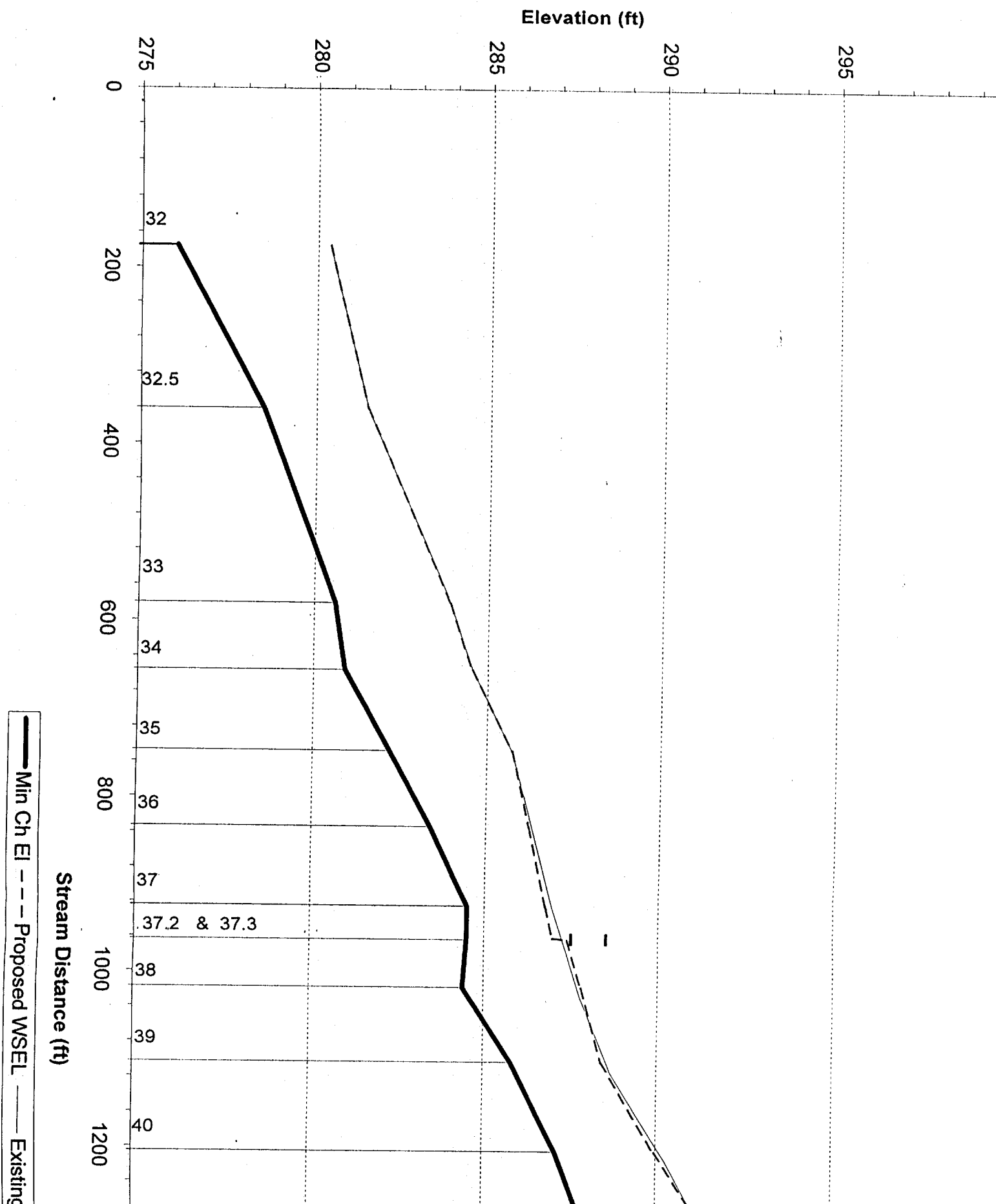
Table 3 - Proposed Pathway Crossing Details

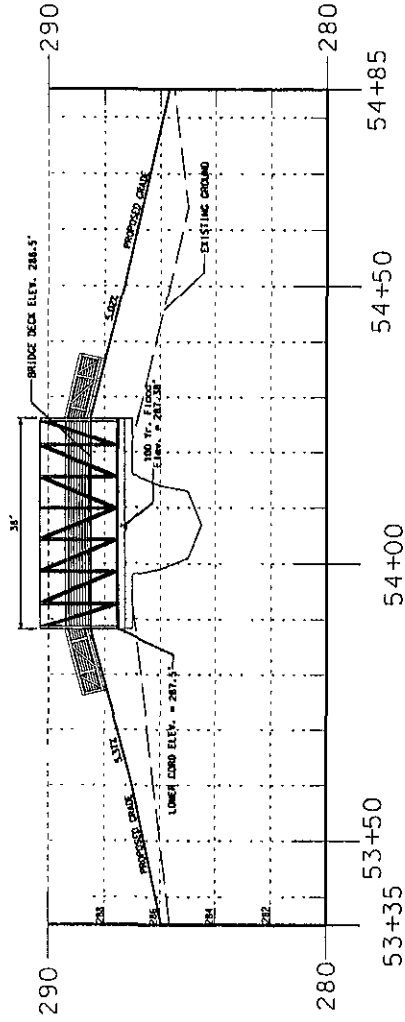
HEC-2 Xsecn	Length (ft.)	Lower Chord Elev.	Existing 100-yr Elev.	Proposed 100-yr Elev.
37.25	38	287.5	287.33	287.4

Table 4 - Existing and 100-yr Flood Elevations

Section	Water Surface Elevation		Change in WSEL	Comments
	Existing	Proposed		
32	280.35	280.35	0	Confluence with Jones Falls
32.5	281.47	281.47	0	
33	283.91	283.9	-0.01	
34	284.56	284.55	-0.01	
35	285.72	285.73	0.01	Downstream limit of parking lot
36	286.32	286.23	-0.09	
37	286.93	286.75	-0.18	
37.2		286.96		Downstream edge of bridge
37.3	287.34	287.38	0.04	Upstream edge of bridge
38	287.78	287.8	0.02	Upstream limit of parking lot
39	288.67	288.4	-0.27	
40	290.27	289.95	-0.32	
41	291.69	291.65	-0.04	
42	293.21	293.24	0.03	
43	294.41	294.39	-0.02	
44	295.45	295.23	-0.22	
45	296.28	296.42	0.14	
46	296.66	296.74	0.08	







NOT TO SCALE

MEADOWWOOD PARK

PEDESTRIAN BRIDGE

DATE

REVISION

DRAWING NO. 99-0329

SCALE AS SHOWN

DATE FEBRUARY, 2000

SHEET NO. 1 OF 1

GPI

CHANDLER ENGINEERING, INC.
1000 10TH AVENUE, SUITE 100
DENVER, CO 80202
(303) 733-1100

PROJECT NO.

427

DESIGN

12

CHECKED

12

4.0 CONCLUSION

This report summarized the hydraulic analysis of the existing conditions and proposed pathway crossings over Deep Run, a tributary of Jones Falls. The results address the hydraulic requirements of MDE's Non-Tidal Waterways and Wetlands permit process.

The crossing will be prefabricated with abutments located 10 feet from the overbanks, allowing the bridges to straddle the stream channel. The proposed floodplain was primarily lower than or equal to the existing floodplain. The 100-year floodplain impacts were defined as changes of 0.10 feet or more from the existing 100-year floodplain. Addition of this bridge caused decreases from -0.10 feet to a maximum of -0.32 feet to occur at sections 37, 39, and 40. Section 37, which lies just downstream of the bridge, experiences a decrease due to the "choking" effects through the bridge such as an increased velocity and decrease flow area. Fill required for the approach to the bridge deck decreases the flow area, which then contributes to increased velocities. Sections 39 and 40 upstream of the bridge experience residuals of these effects as well. Combined with the change from a steep slope to a flat slope, the water surface at section 39 is fixed to the critical depth in the proposed conditions model.

In order to avoid pressure flow, the abutments were raised to keep the lower chord from interfering with the conveyance of flow. The abutments of the stream crossings will be reinforced with rip-rap to protect the crossings from scour.

APPENDIX A - HEC-RAS Summary Table: Deep Run
Existing Conditions (GPI Conversion of GW Stephens HEC-2 into HEC-RAS)

HEC-RAS Plan: Imported Pla River: RIVER-3 Reach: Reach-1

Reach-1	River Sta	Q Total	Min Ch El	W/S Elev	Ch W/S	E/G Elev	E/G Slope	Vel Chnl	Flow Area	Top Width	Froude # Ch	Q Left	Q Channel	Q Right
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft)	(ft/s)	(sq ft)	(ft)		(cfs)	(cfs)	(cfs)
Reach-1	32	1708.00	276.00	280.32	278.76	280.37	0.000975	2.51	929.80	440.82	0.23	486.34	298.10	923.55
Reach-1	33	1708.00	280.60	283.37	283.37	283.99	0.014583	6.50	268.87	216.44	0.78		459.11	1248.89
Reach-1	34	1708.00	280.90	284.64	284.37	284.87	0.006909	5.34	467.88	461.64	0.54	955.94	280.03	472.03
Reach-1	35	1708.00	282.20	285.36		285.64	0.008799	5.50	417.54	479.40	0.60	898.10	350.06	459.83
Reach-1	36	1708.00	283.40	286.03		286.24	0.005626	3.58	472.31	460.58	0.47	1003.37	177.79	526.84
Reach-1	37	1708.00	284.50	286.58		286.82	0.007522	3.66	436.57	461.32	0.52	1113.68	102.17	488.15
Reach-1	38	1708.00	284.50	286.99	286.88	287.30	0.010062	4.72	387.10	442.87	0.62	1043.67	155.26	509.07
Reach-1	39	1708.00	285.80	287.49	287.25	287.74	0.007125	4.53	426.01	421.57	0.52	1191.31	189.58	327.10
Reach-1	40	1708.00	287.10	289.88	289.44	288.50	0.018076	6.76	314.51	403.92	0.83	1237.33	257.28	213.38
Reach-1	41	1708.00	288.10	291.36	289.94	290.41	0.016097	6.72	300.43	342.33	0.80	1236.32	338.02	133.66
Reach-1	42	1708.00	288.70	292.96	291.45	291.98	0.017411	7.54	274.67	281.02	0.85	805.28	413.38	488.34
Reach-1	43	1708.00	290.60	293.85	292.96	293.41	0.012574	6.66	332.91	351.55	0.74	542.69	522.45	642.86
Reach-1	44	1708.00	291.00	295.58	294.13	294.78	0.036984	10.66	271.98	315.33	1.26	422.53	663.34	622.14
Reach-1	45	1708.00	289.10	296.19	295.02	296.55	0.009960	8.33	396.28	264.03	0.72	335.62	755.25	617.13
Reach-1	46	1708.00	291.40	296.35	295.26	297.12	0.003469	5.82	384.95	152.10	0.44	52.56	793.87	861.57
Reach-1								7.02	244.30	71.72	0.63		1706.08	1.92

APPENDIX B - HEC-RAS Summary Table: Deep Run
Existing Conditions (Revised)

HEC-RAS Plan: Imported Pla River: RIVER-3 Reach: Reach-1

Reach	River Sta	Q Total (cfs)	Min Ch Elev (ft)	WSE Elev (ft)	Crit W St (ft)	E.G. Elev (ft)	EG Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl	Q Left (cfs)	Q Channel (cfs)	Q Right (cfs)
Reach-1	32.0	1708.00	276.00	280.35	278.82	280.41	0.001596	2.90	945.01	442.48	0.26	495.87	348.35	863.78
Reach-1	32.5	1708.00	278.50	281.47	281.47	281.98	0.024957	7.42	343.95	351.80	0.92	327.30	741.16	639.54
Reach-1	33.0	1708.00	280.60	283.91		284.06	0.006068	4.09	597.27	469.28	0.44	443.07	362.93	891.00
Reach-1	33.5	1708.00	280.90	284.56		284.85	0.016618	5.87	427.82	442.32	0.91	912.26	400.82	394.92
Reach-1	34.0	1708.00	282.20	285.72		285.87	0.007164	4.31	603.50	535.80	0.52	899.34	372.80	435.87
Reach-1	34.5	1708.00	283.40	286.32		286.45	0.006542	3.74	610.72	492.02	0.47	977.96	216.75	513.29
Reach-1	35.0	1708.00	284.50	286.93		287.06	0.007267	3.64	604.47	497.23	0.48	1089.63	125.51	492.87
Reach-1	35.5	1708.00	284.50	287.34		287.49	0.009096	4.04	551.71	496.15	0.64	1046.34	182.21	479.45
Reach-1	36.0	1708.00	284.40	287.78		287.94	0.007991	4.55	552.98	447.15	0.50	1161.25	214.76	331.99
Reach-1	36.5	1708.00	285.80	288.67		288.98	0.019748	6.67	411.15	432.35	0.79	1193.24	282.90	231.86
Reach-1	37.0	1708.00	287.10	290.27		290.55	0.012473	5.76	443.73	396.79	0.64	1197.21	342.11	168.68
Reach-1	37.5	1708.00	288.10	291.69		292.09	0.016892	7.08	376.02	322.92	0.76	792.00	441.73	474.28
Reach-1	38.0	1708.00	288.70	293.21	293.07	293.56	0.013816	6.58	422.83	386.24	0.70	535.80	567.32	604.88
Reach-1	38.5	1708.00	290.60	294.43	294.25	294.80	0.014367	6.98	416.18	349.74	0.74	398.37	548.10	761.53
Reach-1	39.0	1708.00	291.00	295.39		296.10	0.015894	9.17	347.67	248.05	0.82	294.48	793.79	619.72
Reach-1	39.5	1708.00	289.10	296.31	295.09	296.71	0.004930	6.33	403.47	157.03	0.47	45.64	883.20	779.15
Reach-1	40.0	1708.00	291.40	296.67	295.26	297.32	0.007536	6.46	268.25	79.33	0.56		1701.81	6.19

APPENDIX C - HEC-RAS Summary Table: Deep Run
Proposed Conditions

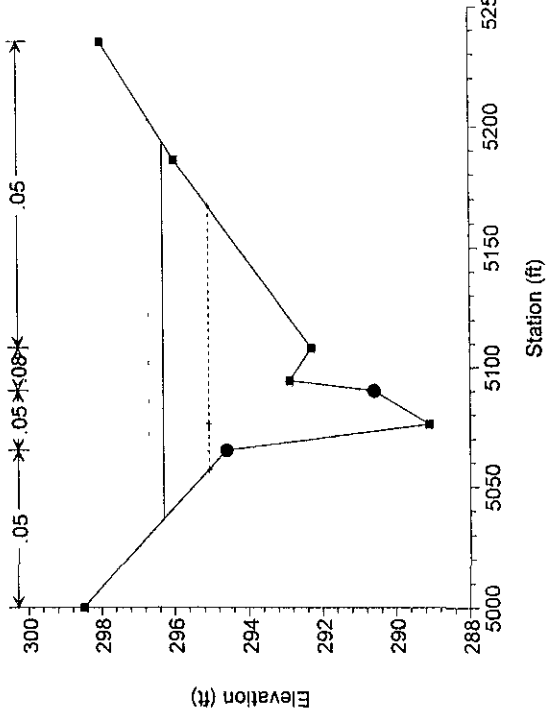
HEC-RAS Plan: Imported Pla River: RIVER-3 Reach: Reach-1

Reach-1	32	33	34	35	36	37	37/2	37/25	37/3	38	39	40	41	42	43	44	45	46
Q Total	1708.00	1708.00	1708.00	1708.00	1708.00	1708.00	1708.00	1708.00	1708.00	1708.00	1708.00	1708.00	1708.00	1708.00	1708.00	1708.00	1708.00	1708.00
Min Chl Elev	276.00	278.50	280.60	280.90	282.20	283.40	284.50	284.50	284.50	284.40	285.80	287.10	288.10	288.70	290.60	291.00	289.10	291.40
Max Chl Elev	280.35	281.47	283.90	284.55	285.73	286.23	286.75	286.96	287.38	287.80	288.40	289.95	291.65	293.24	294.42	295.39	296.30	296.67
Chl W.S.	278.82	281.47	283.90	284.55	285.73	286.23	286.75	286.96	287.11	287.36	288.40	289.95	291.57	293.07	294.25	295.39	296.09	296.26
Elev Elev	280.41	281.98	284.05	284.84	285.87	286.42	286.95	287.43	287.61	287.98	288.82	290.41	292.08	293.56	294.80	296.10	296.70	297.32
EG Slope	0.001596	0.024957	0.006015	0.017054	0.007097	0.005733	0.005859	0.017006	0.010457	0.005025	0.017823	0.013983	0.018542	0.012991	0.014791	0.015668	0.004952	0.007551
Vel Chl	2.90	7.42	3.98	5.96	4.29	3.42	3.09	5.47	3.46	3.62	5.99	5.72	7.36	6.41	7.06	9.12	6.34	6.47
Flow Area	945.01	343.95	593.91	423.55	604.88	520.42	510.51	329.18	462.84	526.68	346.63	330.93	363.01	433.16	412.08	349.81	402.71	268.05
Top Width	442.48	351.80	468.54	439.94	536.43	470.48	468.16	382.81	470.28	448.69	420.59	348.68	318.31	390.13	349.18	248.77	156.83	79.27
Froude # Chl	0.26	0.92	0.48	0.92	0.51	0.43	0.42	0.72	0.54	0.40	0.74	0.67	0.79	0.68	0.75	0.81	0.47	0.56
Q Left	495.87	327.30	441.08	910.04	888.52	1090.28	1231.34	1332.80	1169.10	1266.45	1360.13	1320.26	786.57	540.83	386.58	296.05	45.40	
Q Channel	348.35	741.16	393.02	403.67	372.16	189.39	95.76	176.28	146.94	172.03	223.83	296.36	452.25	558.14	551.65	791.03	883.91	1701.87
Q Right	863.78	639.54	873.91	394.28	447.32	428.33	380.90	198.92	391.96	269.52	124.04	91.38	469.18	609.03	759.78	620.92	778.69	6.13

APPENDIX D - HEC-RAS Cross Sections Existing Conditions

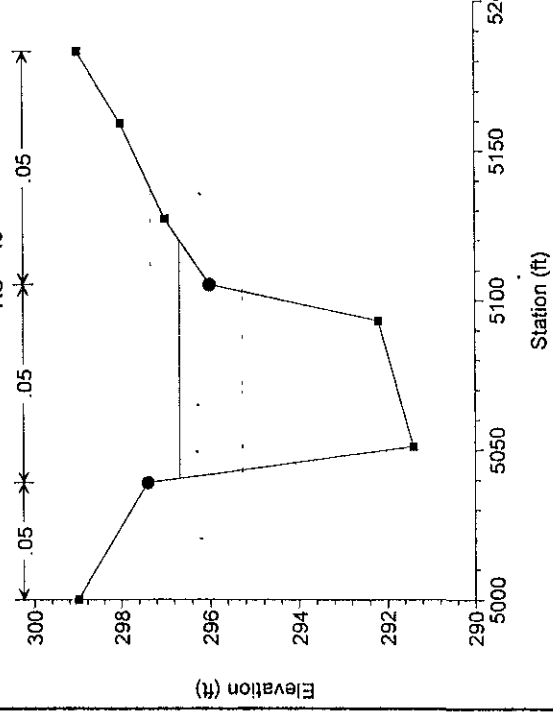
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RS = 45

Legend
EG PF 1
WS PF 1
Crit PF 1
Ground
Bank Sta



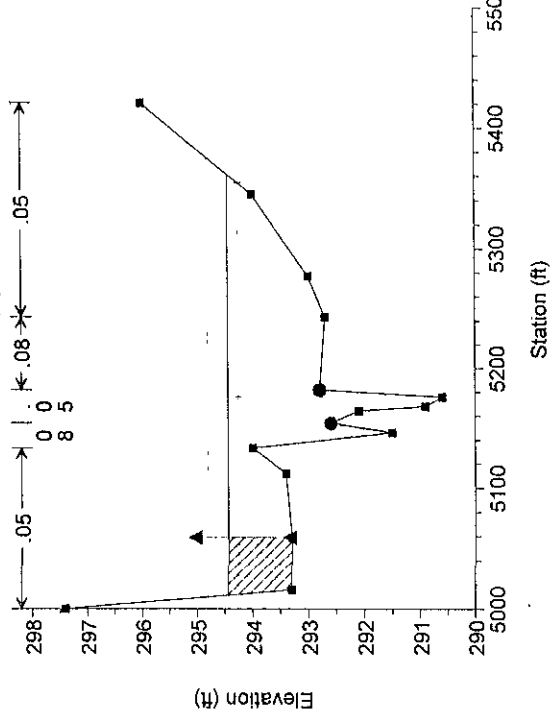
existing conditions Imported Plan 01 1/17/00
RS = 46

Legend
EG PF 1
WS PF 1
Crit PF 1
Ground
Bank Sta



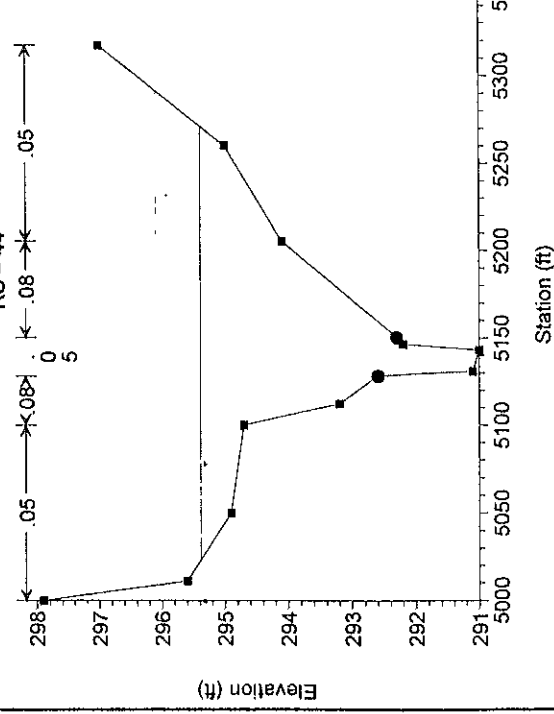
existing conditions Imported Plan 01 1/17/00
RS = 43

Legend
EG PF 1
WS PF 1
Crit PF 1
Ground
Ineff
Bank Sta

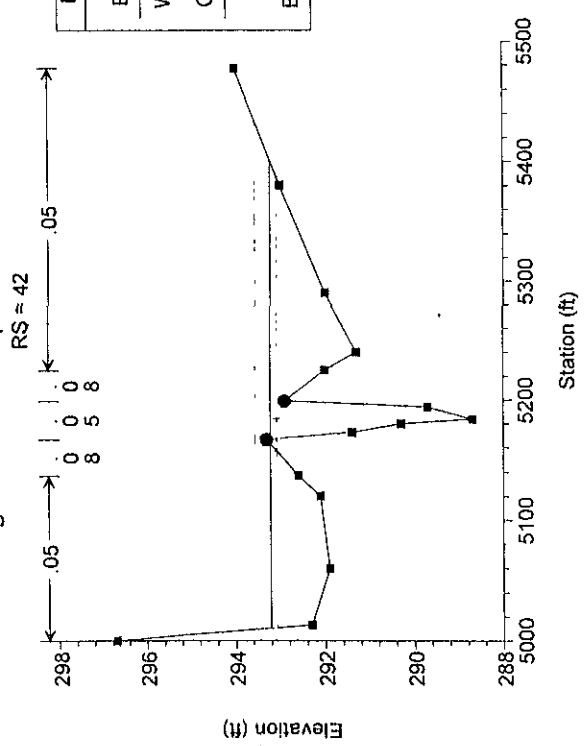


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RS = 44

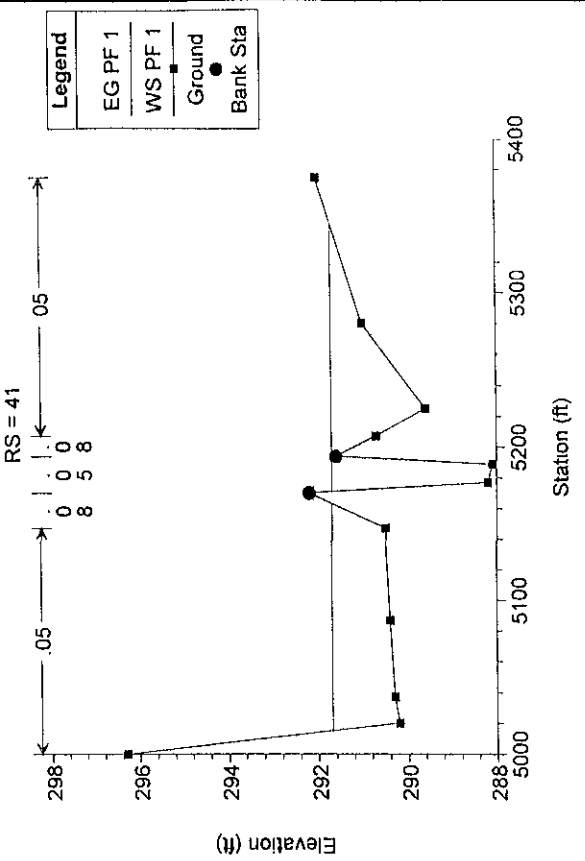
Legend
EG PF 1
WS PF 1
Ground
Bank Sta



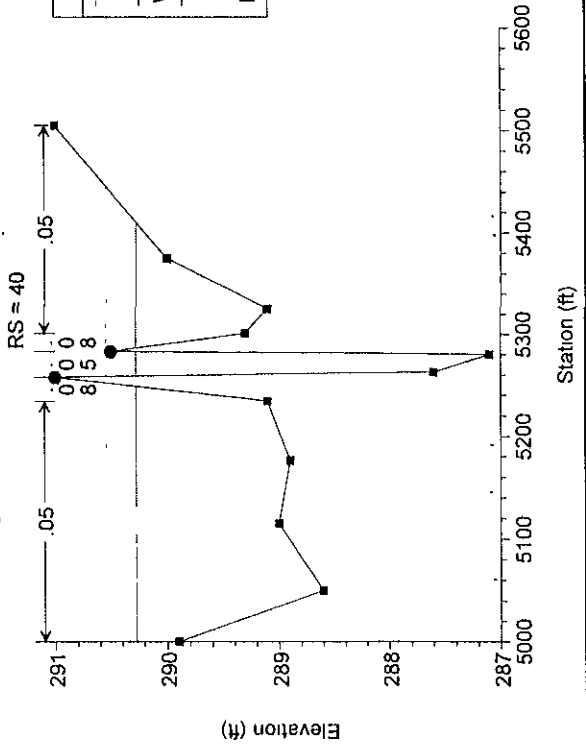
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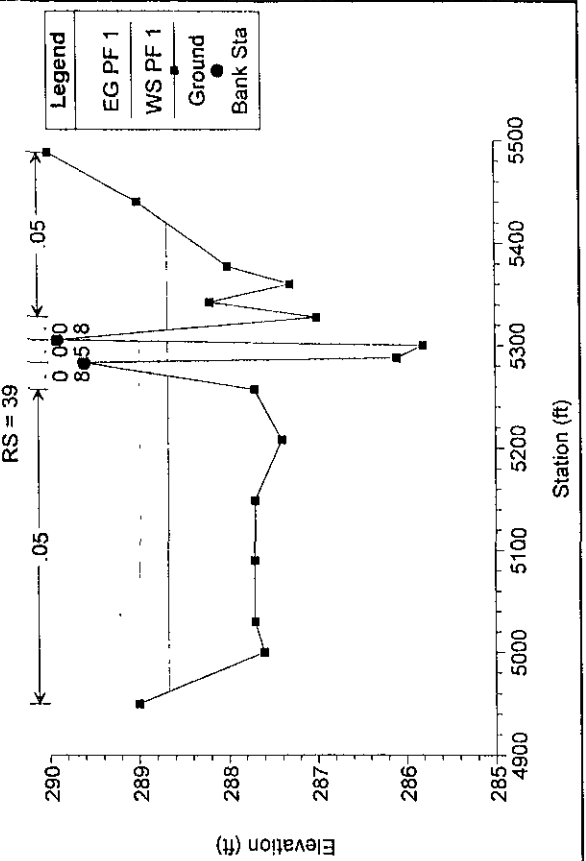
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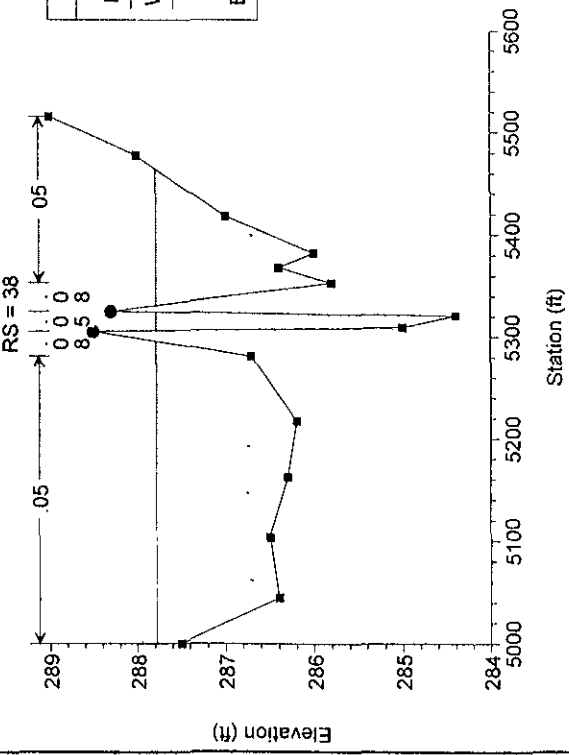
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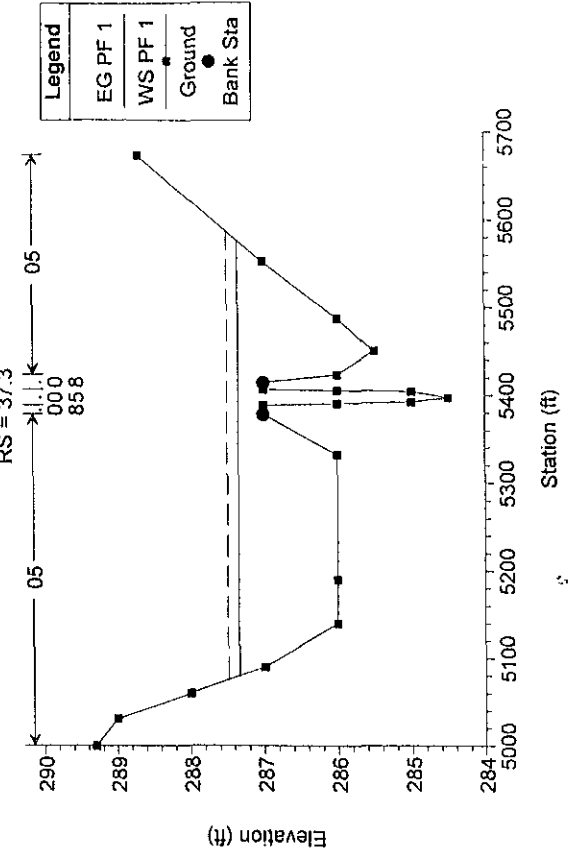
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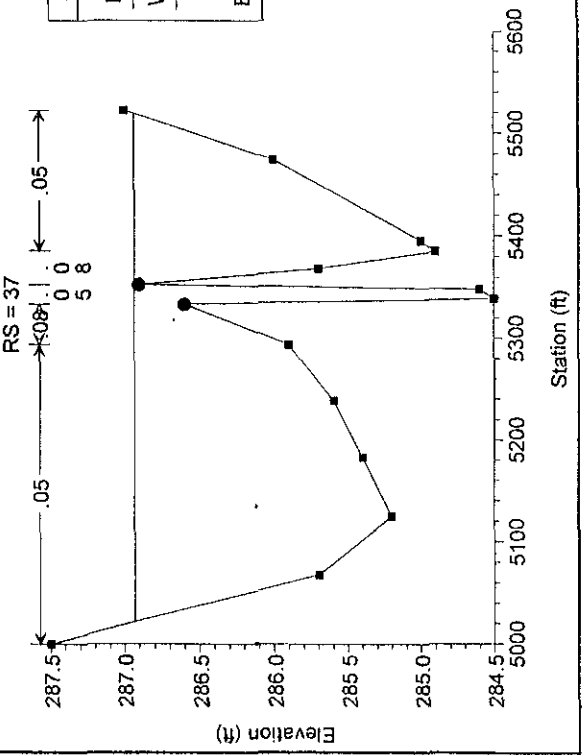
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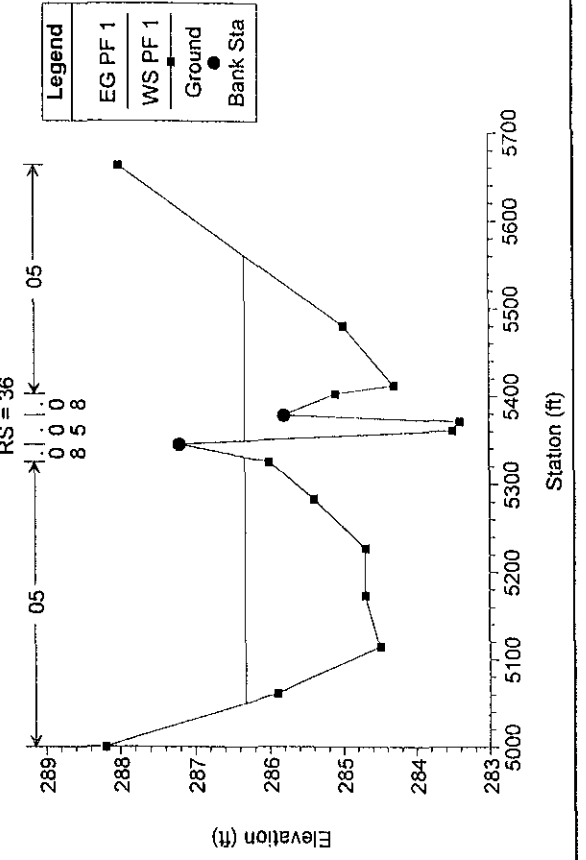
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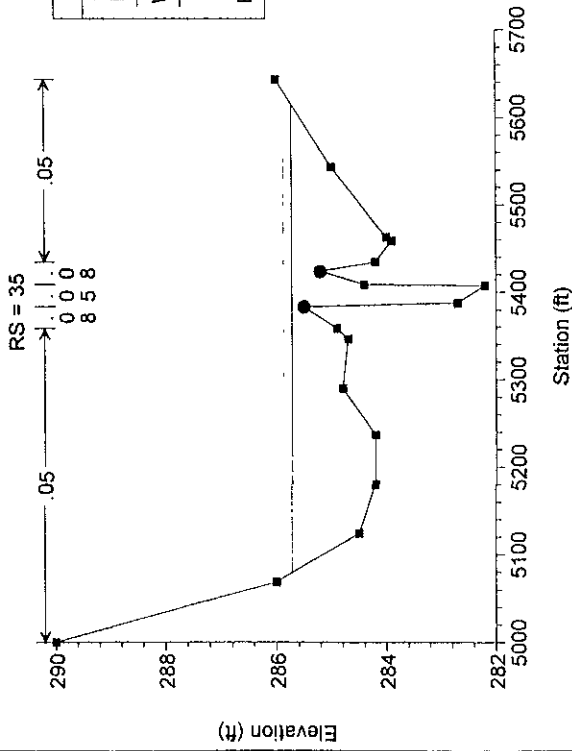
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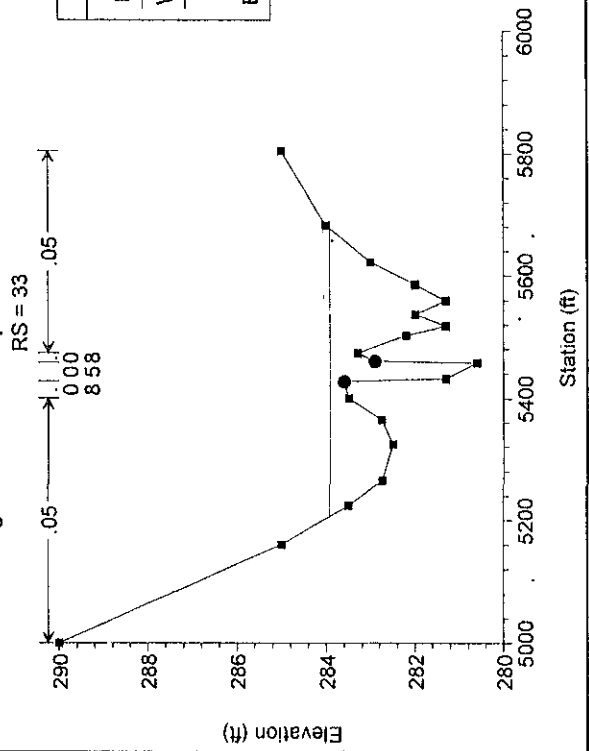
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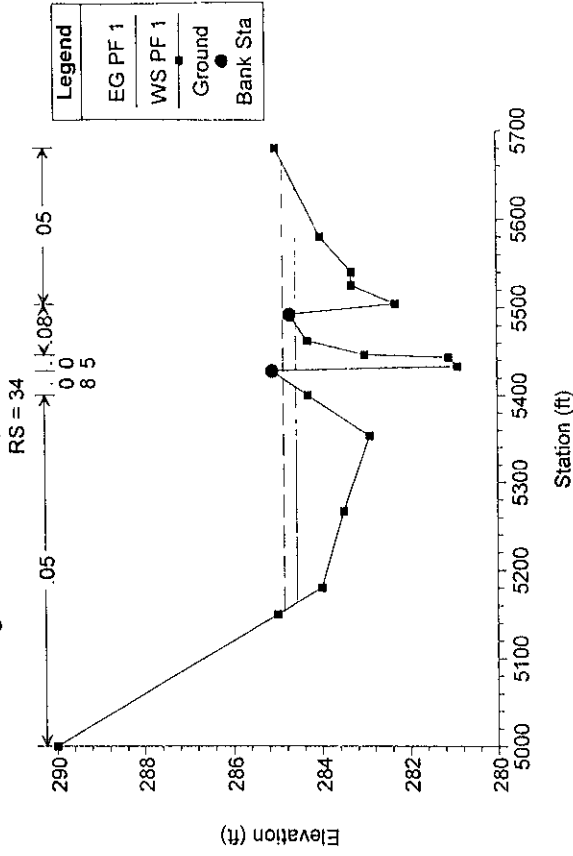
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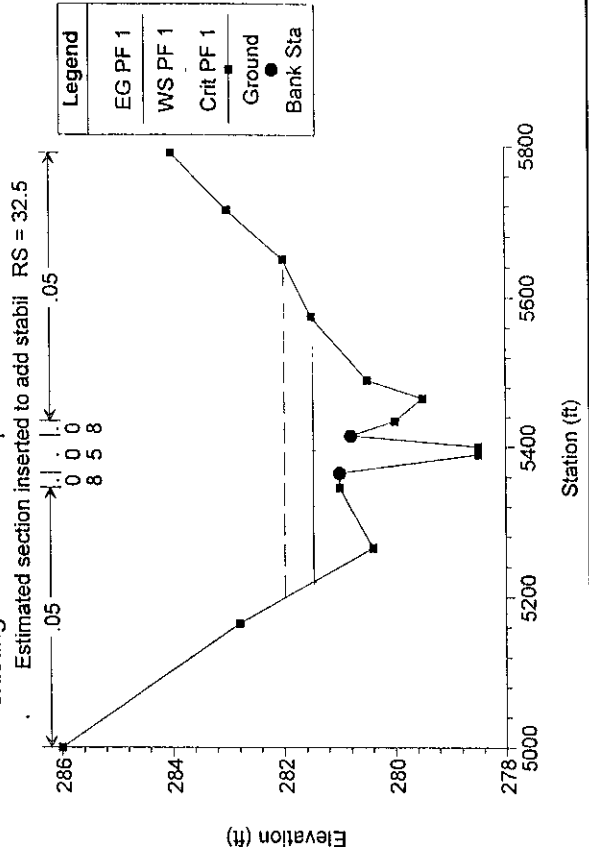
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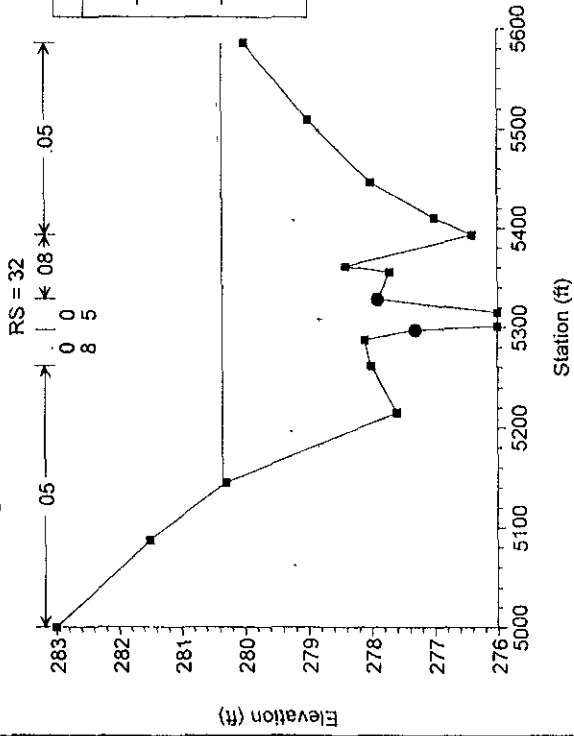
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existing conditions Imported Plan 01 1/17/00

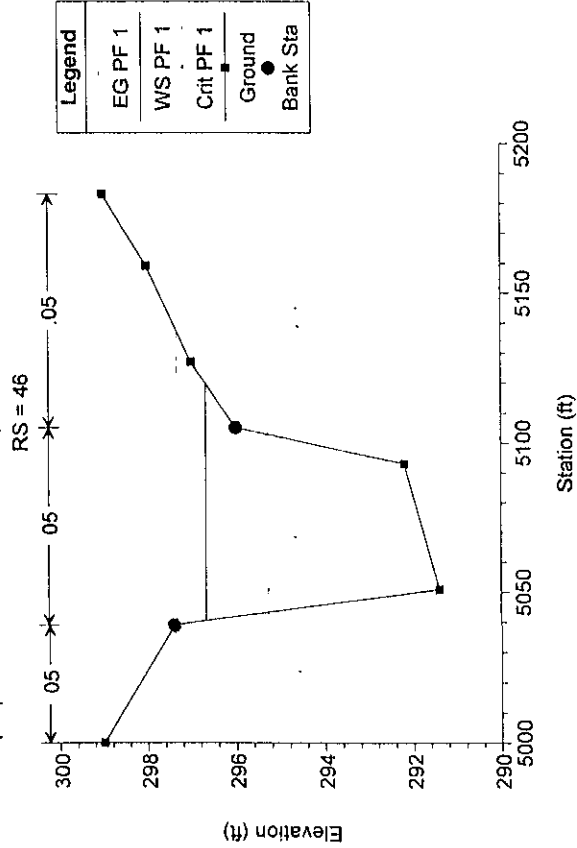


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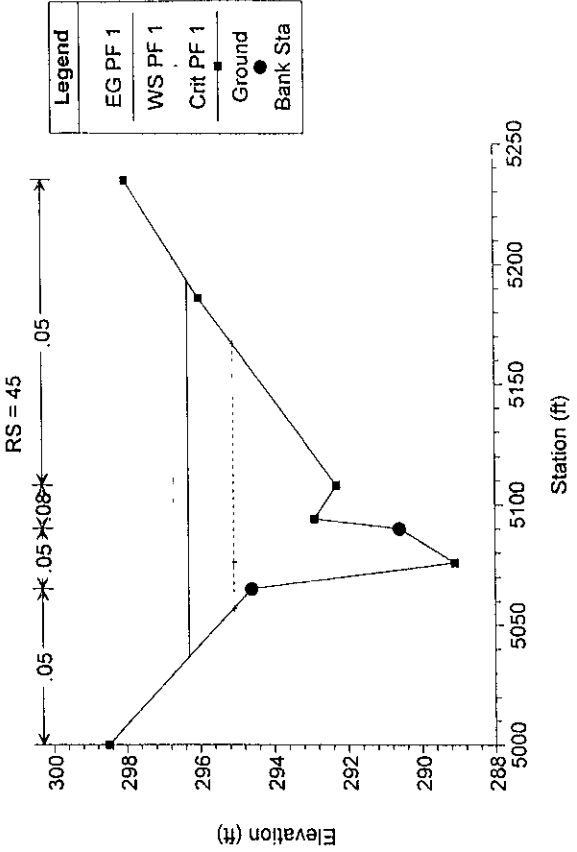


APPENDIX E - HEC-RAS Cross Sections Proposed Conditions

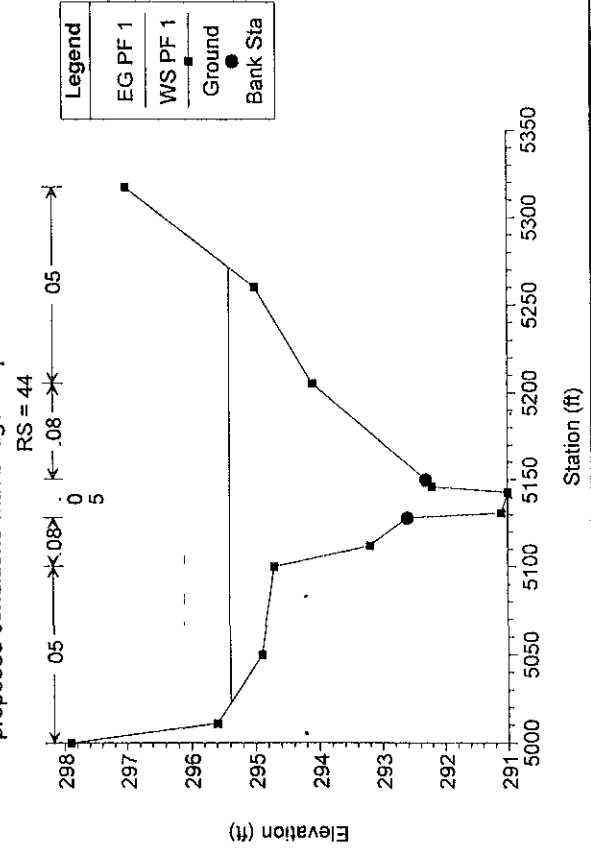
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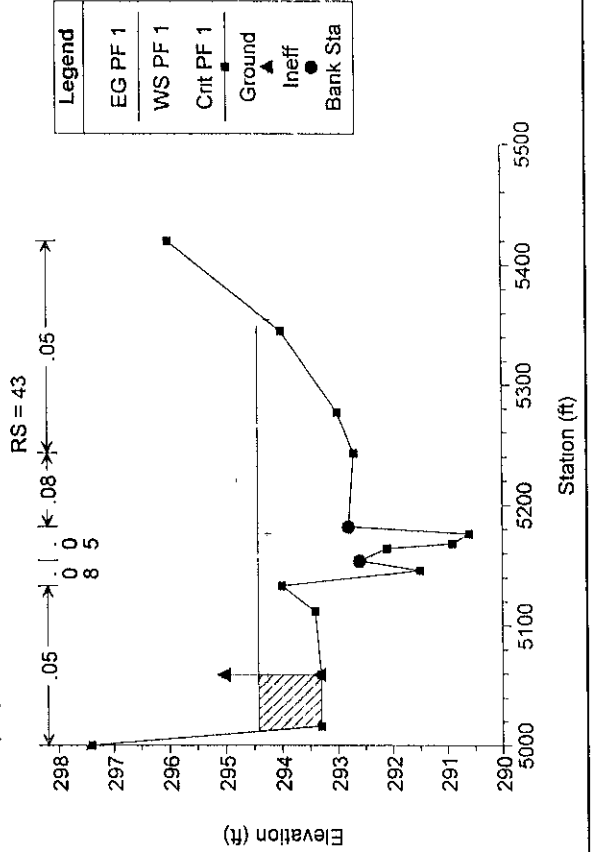
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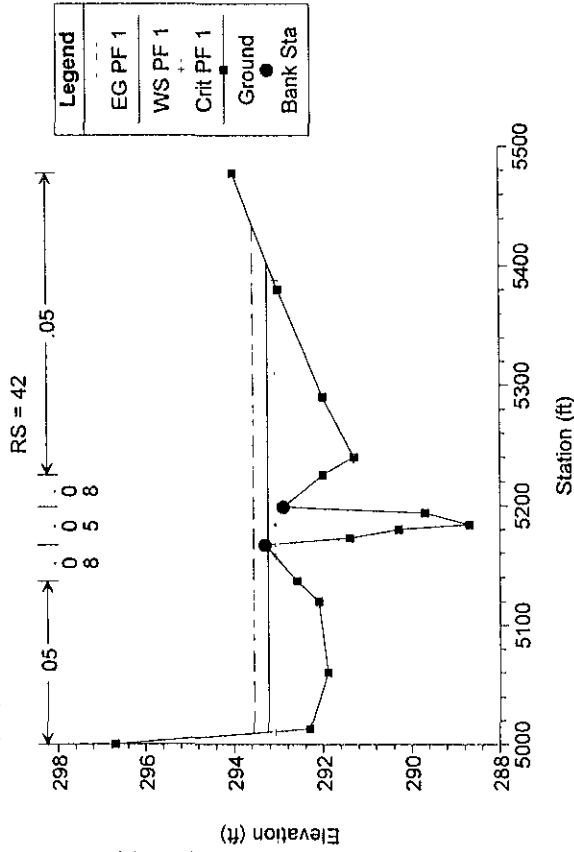
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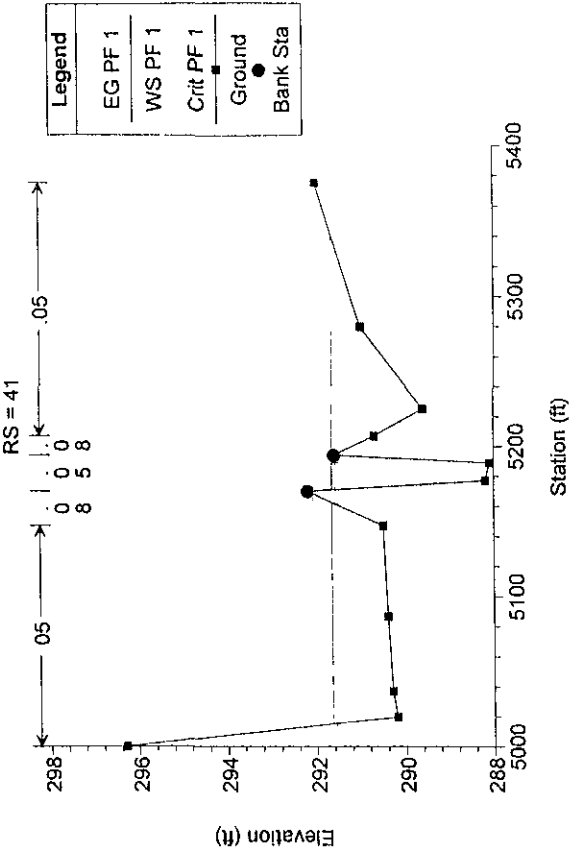
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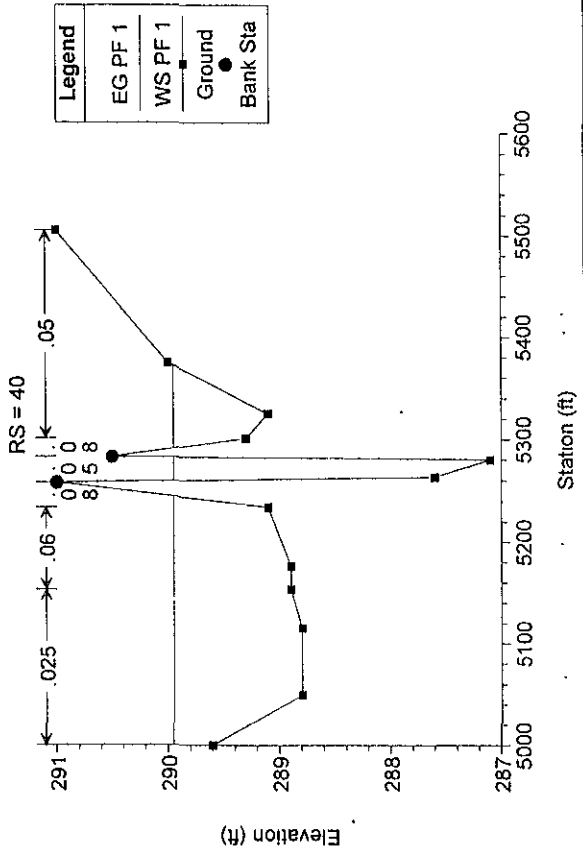
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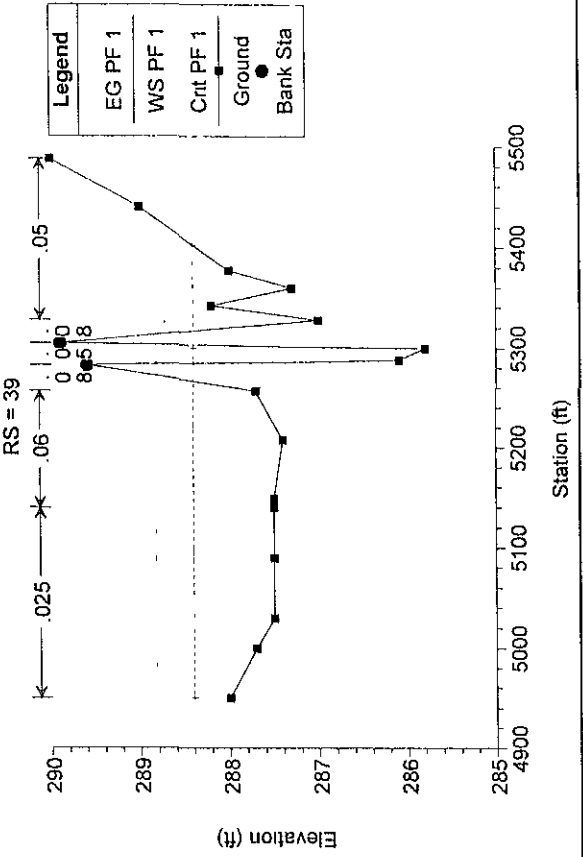
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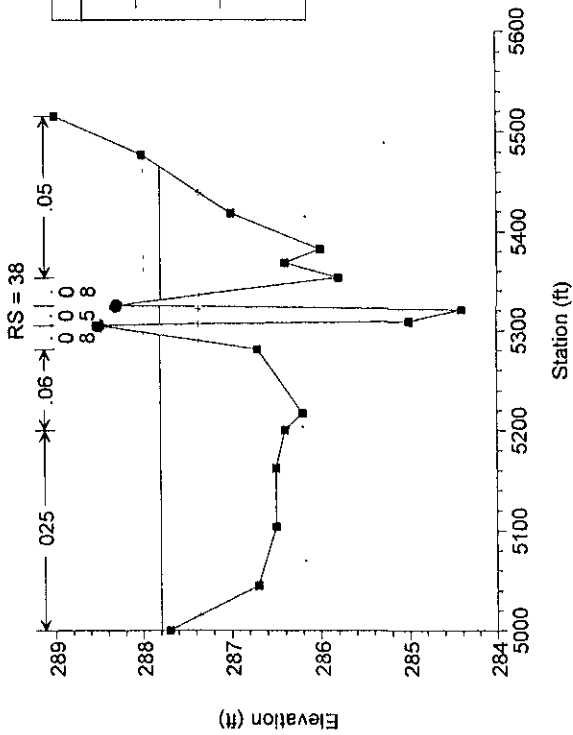
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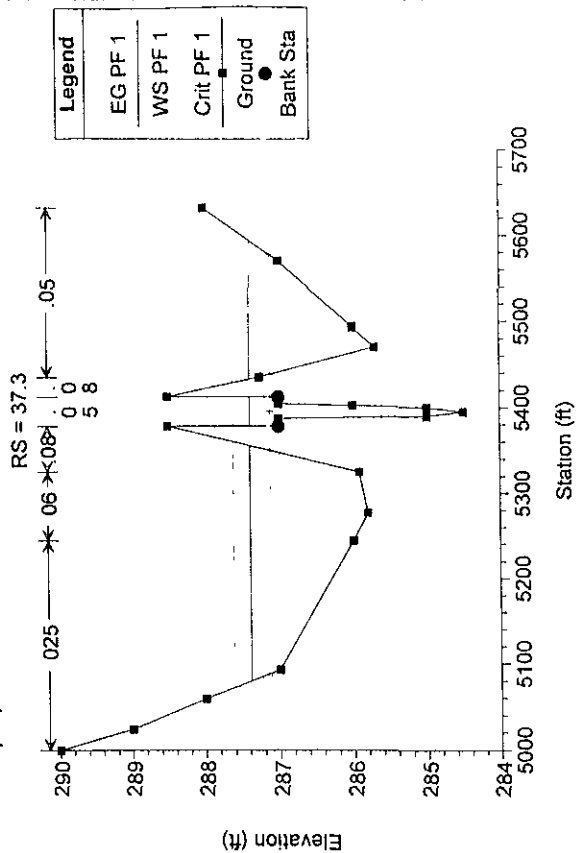
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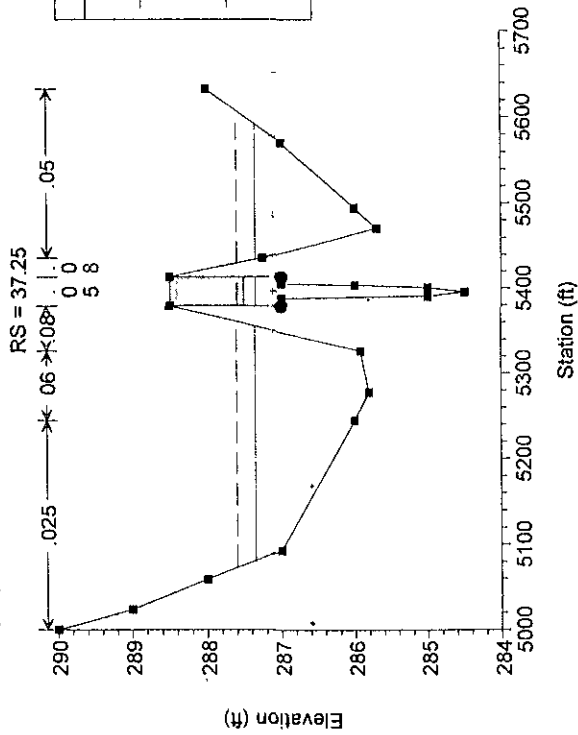
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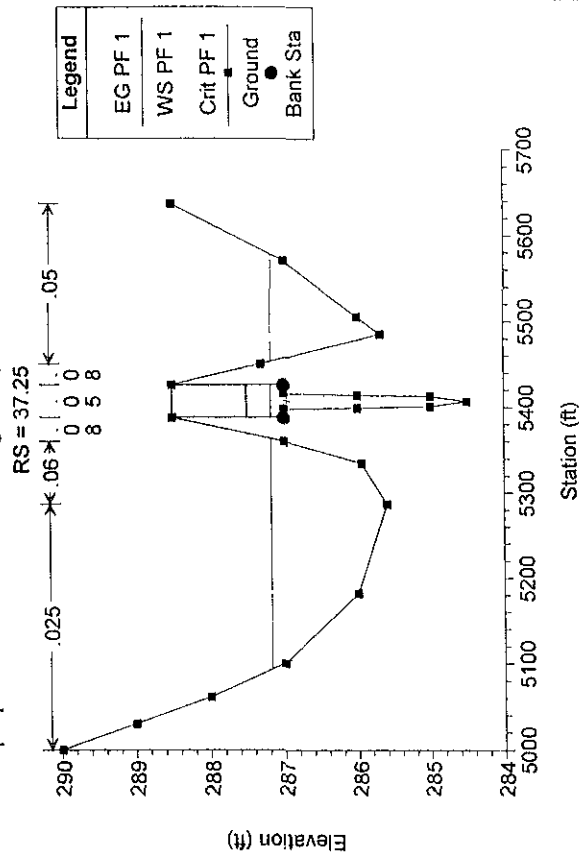
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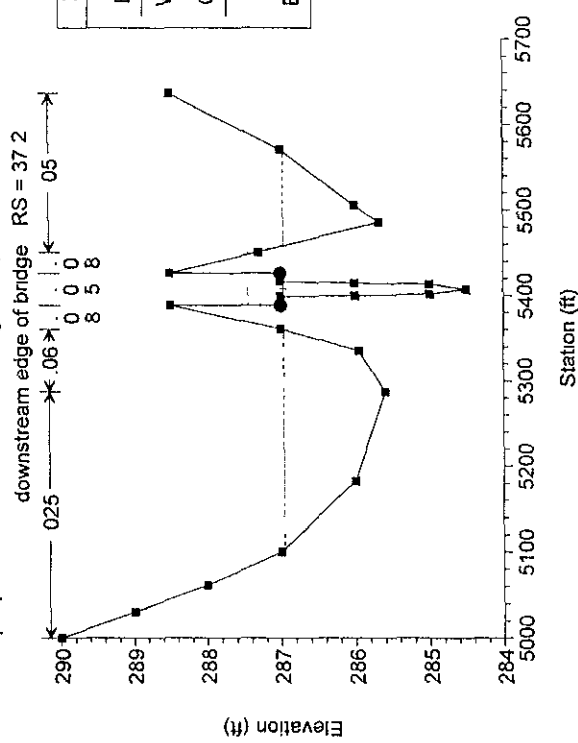
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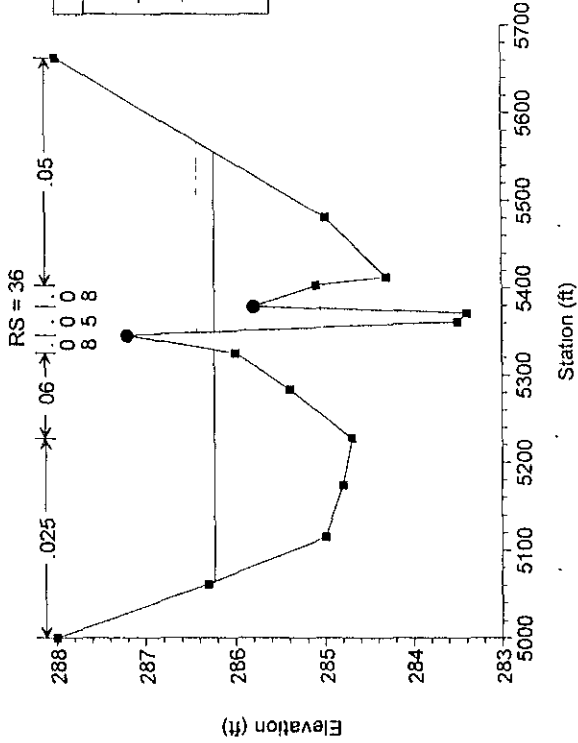
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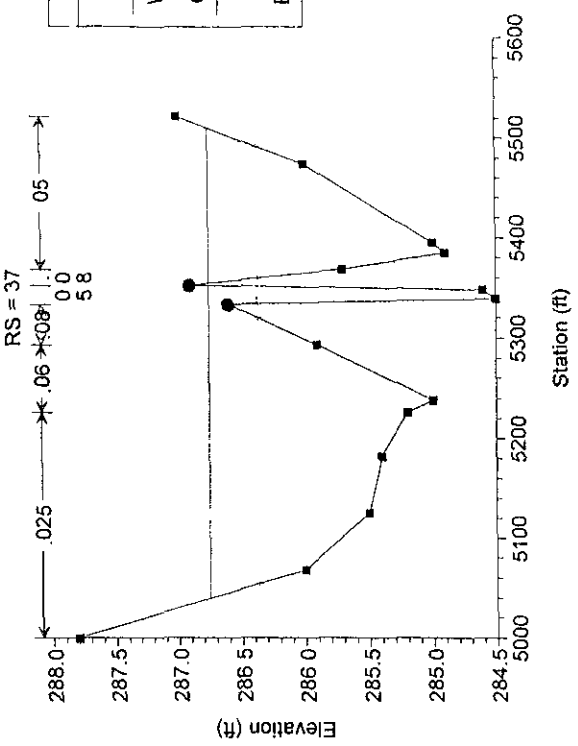
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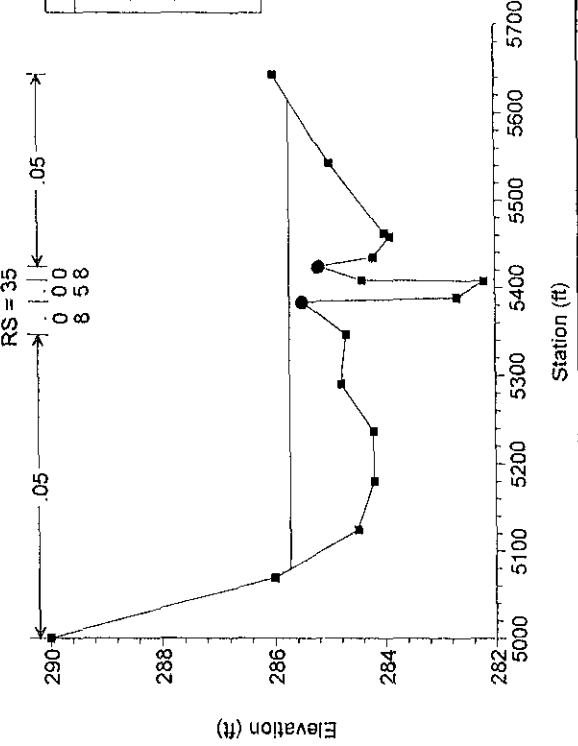
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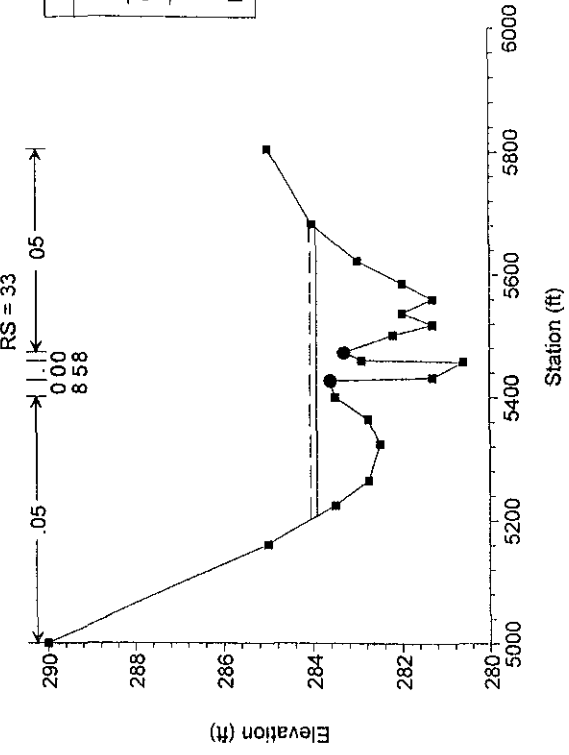
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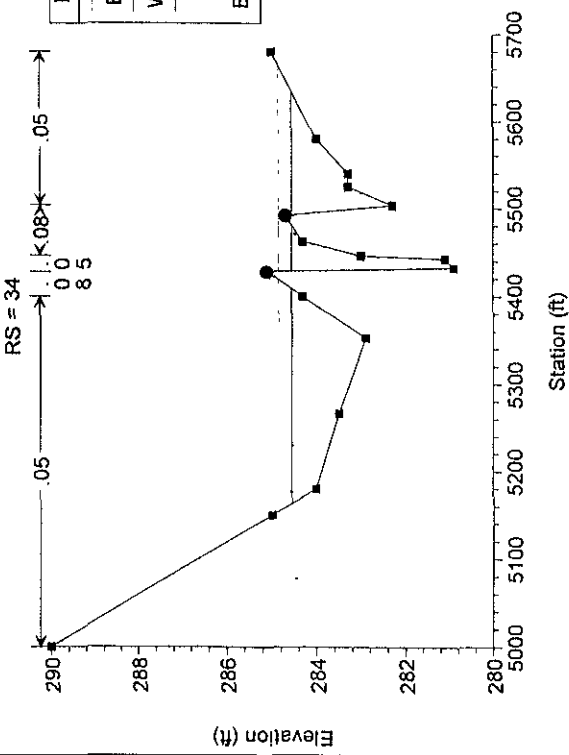
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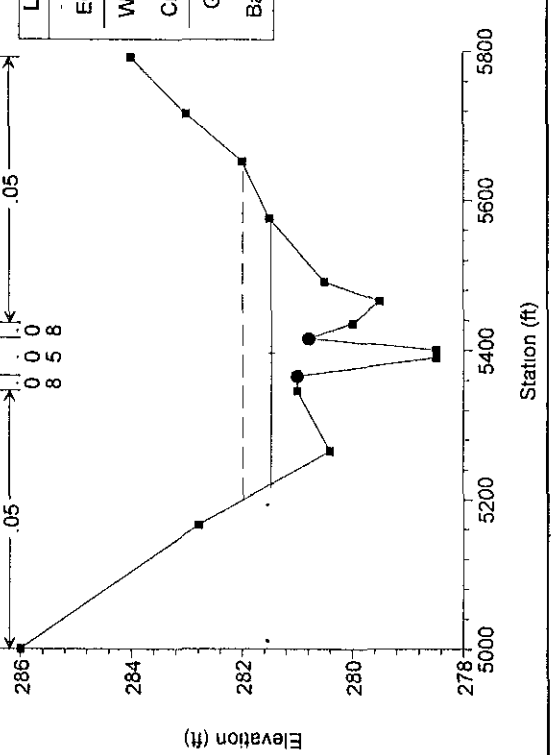
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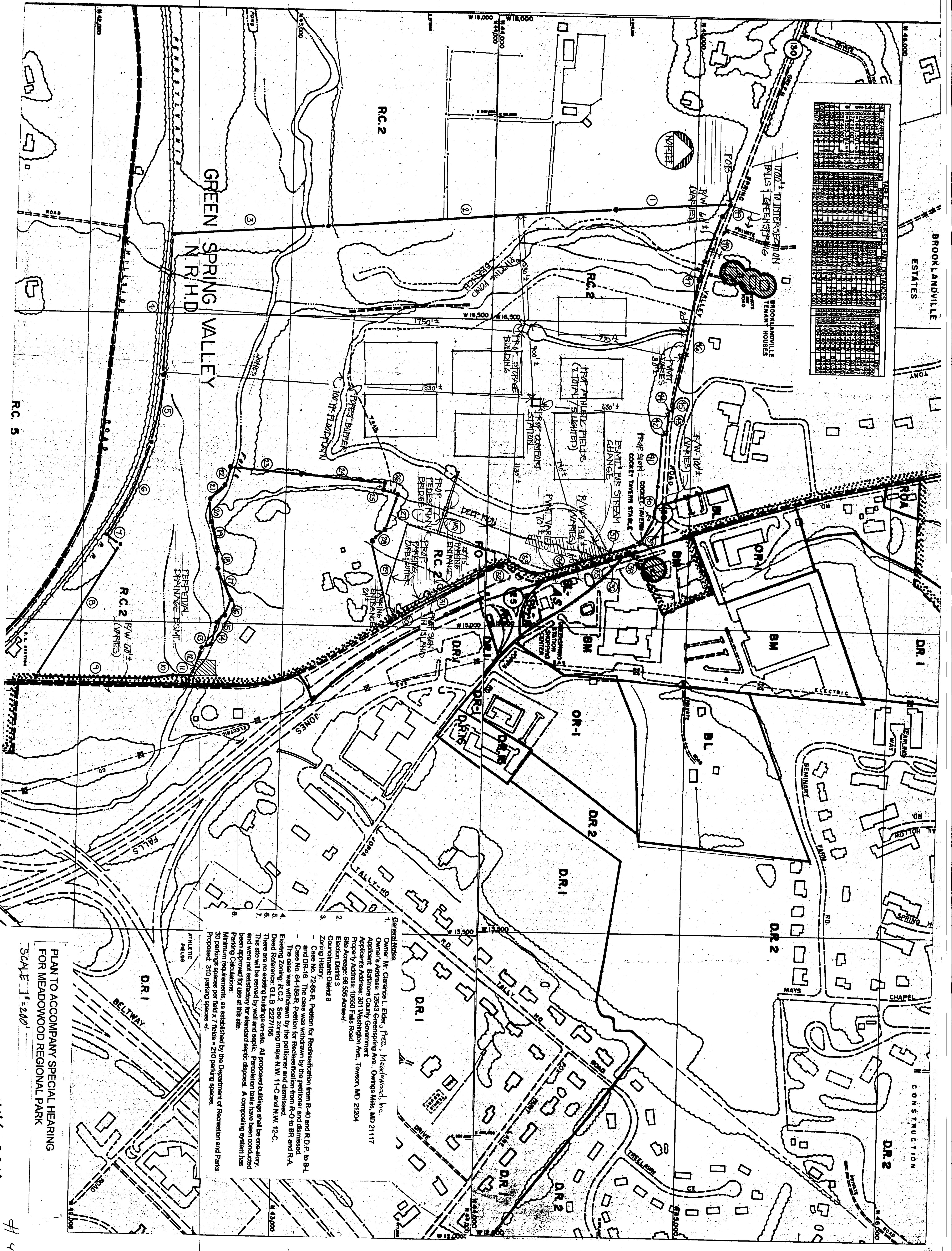
proposed conditions with bridge Imported Plan 01 1/18/00



proposed conditions with bridge Imported Plan 01 1/18/00
Estimated section inserted to add stabil RS = 32.5



APPENDIX F – HEC-RAS Computer Files



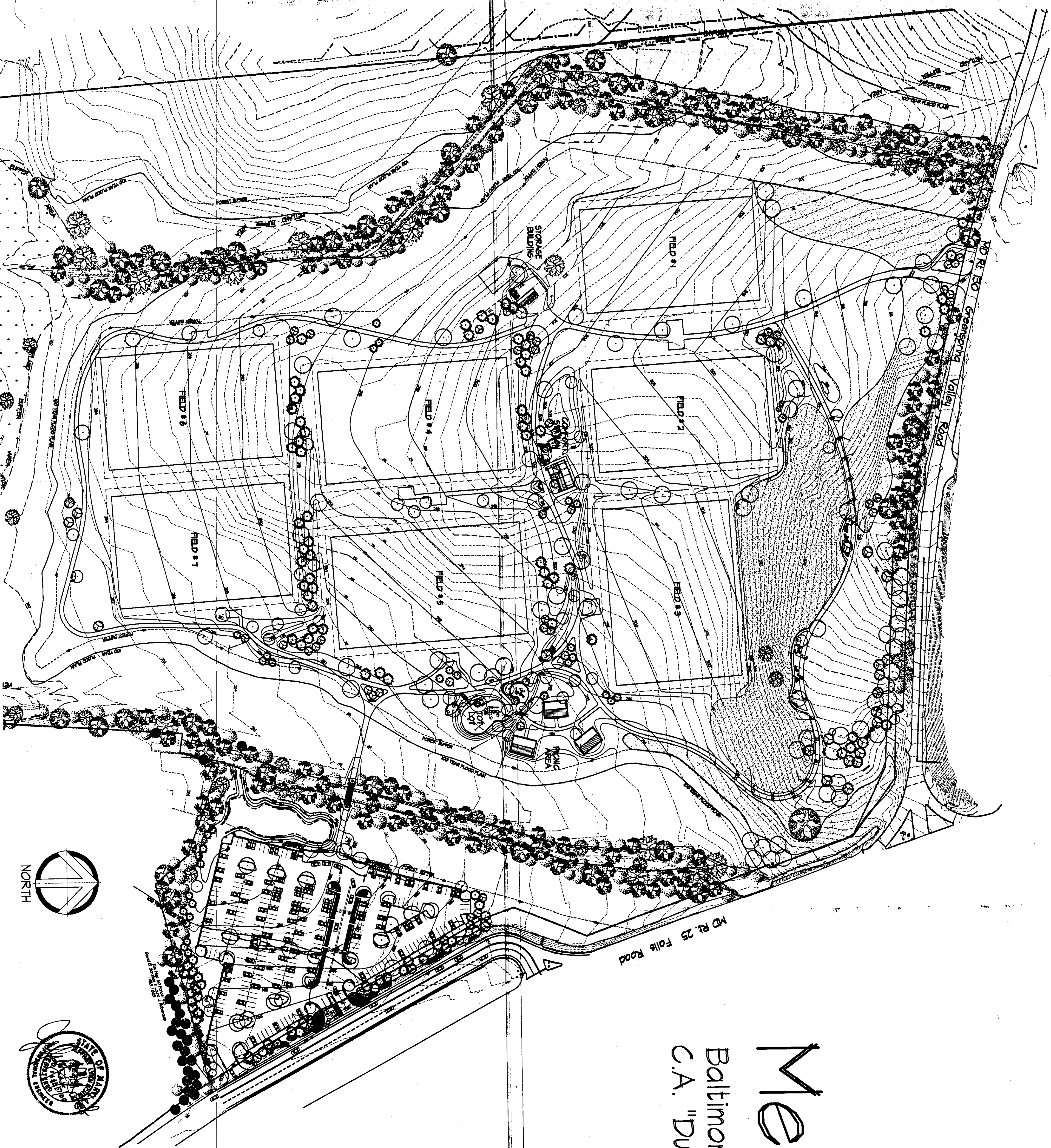
- General Notes:
- Owner: Mr. Clarence L. Elder, Jr., Meadows, Inc.
 - Owner's Address: 12643 Greening Ave., Owings Mills, MD 21117
 - Applicant: Baltimore County Government
 - Applicant's Address: 301 Washington Ave., Towson, MD 21204
 - Site Address: 10650 Falls Road
 - Site Acreage: 98.556 Acres +/-
 - Election District: 3
 - Councilmanic District: 3
 - Zoning History:
 - Case No. 72-66-R, Petition for Reclassification from R-40 and R.D.P. to B-1 and DR-15. The case was withdrawn by the petitioner and dismissed.
 - Case No. 64-156-R, Petition for Reclassification from R-O to BR and R-A. Existing zoning R.C.2. See zoning maps NW 11-C and NW 12-C.
 - Dead Reference: G.L.B. 2227/1965
 - There are no existing buildings on-site. All proposed buildings shall be one-story, and were not satisfactory for well and septic. Percolation tests have been conducted and were approved for use at this site.
 - Minimum requirements, as established by the Department of Recreation and Parks:
 - 30 parking spaces per field x 7 fields = 210 parking spaces.
 - Proposed: 310 parking spaces +/-

PLAN TO ACCOMPANY SPECIAL HEARING
FOR MEADOWOOD REGIONAL PARK

SCALE 1" = 200'

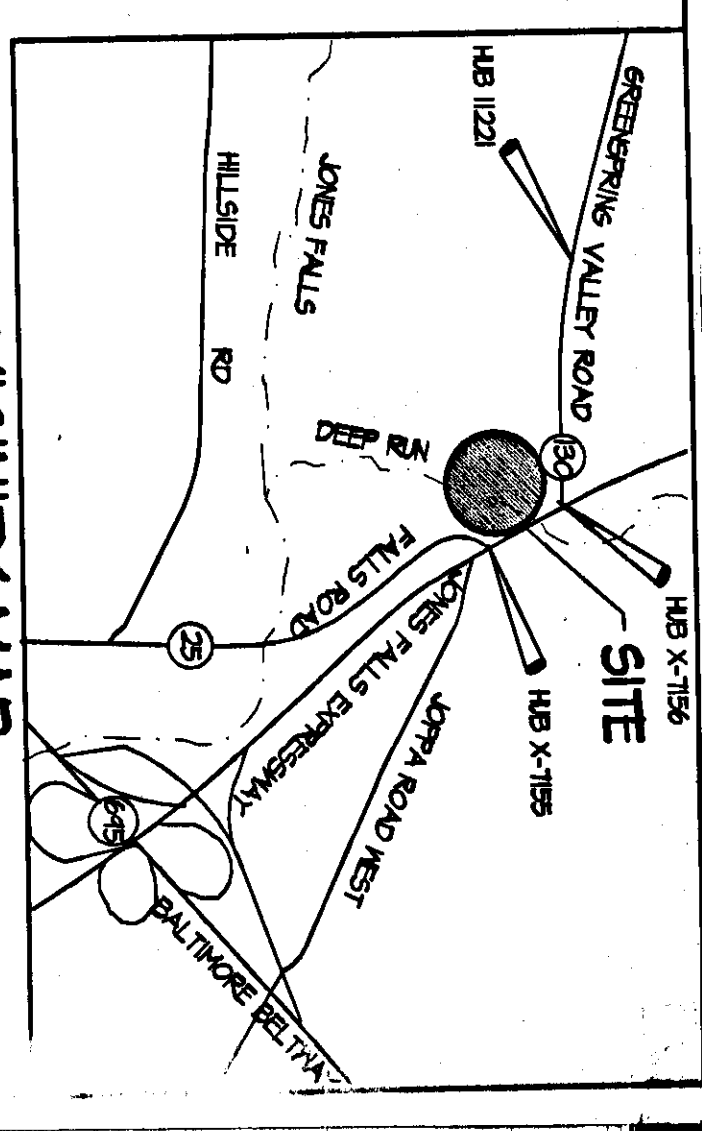
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446



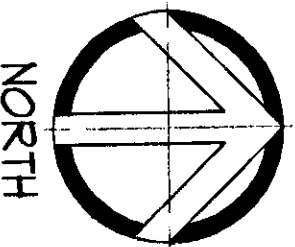
Meadowood Park

Baltimore County Department of Recreation & Parks
C.A. "Dutch" Ruppertsberger, County Executive



BENCHMARKS

HB # 1221	N 4501.3200	N 1660.2500	ELEV. 394.4
HB # 1222	N 4501.3200	N 1660.2500	ELEV. 394.4
HB # 1223	N 4501.3200	N 1660.2500	ELEV. 394.4
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HB # 1299	N 4501.3200	N 1660.2500	ELEV. 394.4
HB # 1300	N 4501.3200	N 1660.2500	ELEV. 394.4



Landscape Architecture/Civil Engineering
Site Resources, Inc.
14027 Jarrattville Pike
Pikesville, Maryland 21118

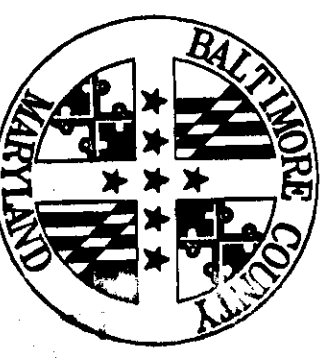
Structural Engineers
Vincini, Fabel, Milano, Inc.
1100 Spring Road
Lithersville, Maryland 2098

Mechanical and Electrical Engineers
Kibort, Inc.
401 Dulany Valley Road
Towson, Maryland 21204

Architectural/Engineering
Greenman-Pedersen Inc.
14027 Jarrattville Pike
Pikesville, Maryland 21118

Architectural Survey
Robert Wall & Associates
1402 Blackwood Avenue
Columbia, MD 21046

Geotechnical Engineers
Hertel / Benson & Associates
44 New Street
Baltimore, Maryland 21201



Set No. 2

R.C. 2

MS-944-00
446-SPH

BROOKLANDVILLE
TENANT HOUSES

SPRING

VALLEY

R.C. 2

COCKEY TAVERN
COCKEY TAVERN STABLE

NW 11 C
3RD DIST

GREEN SPRING VALLEY
N. R. H. D.

R.C. 2

SEMINARY

BL

BM

OR-I

BL

BM

BM

OR-I

GREENSPRING
STATION
SHOPPING
CENTER

DR. 16

OR-I

DR. 16

#446

RO

R.C. 2

DR. 1

DR. 1

TRAIL

Falls

JONES

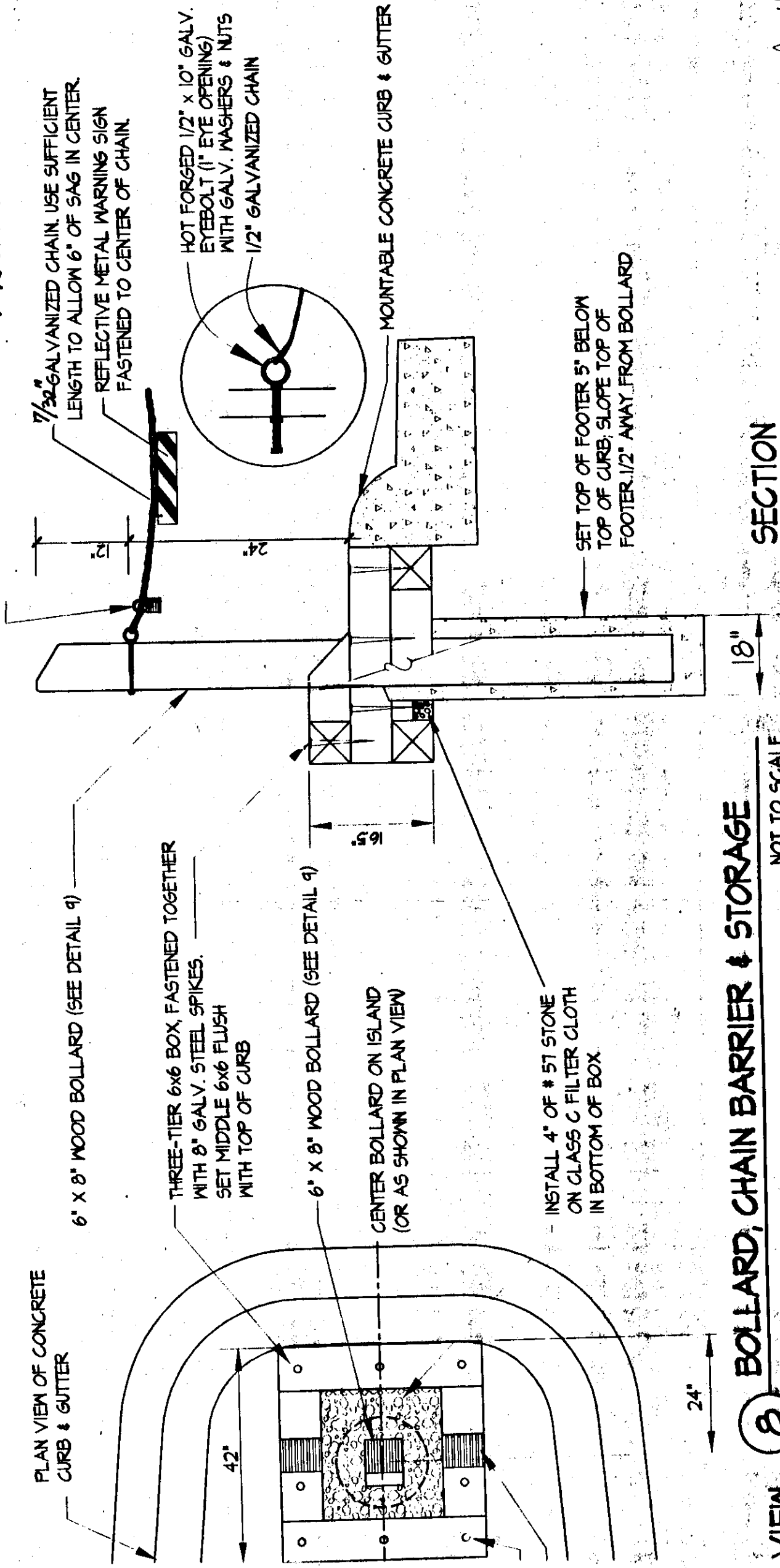
ELECTRIC

HILLSIDE

ROAD

P.R.

SUPPLY COUNTY STD. LOCKS (0536, 1145 OR 1042)
FOR EACH CHAIN BARRIER.

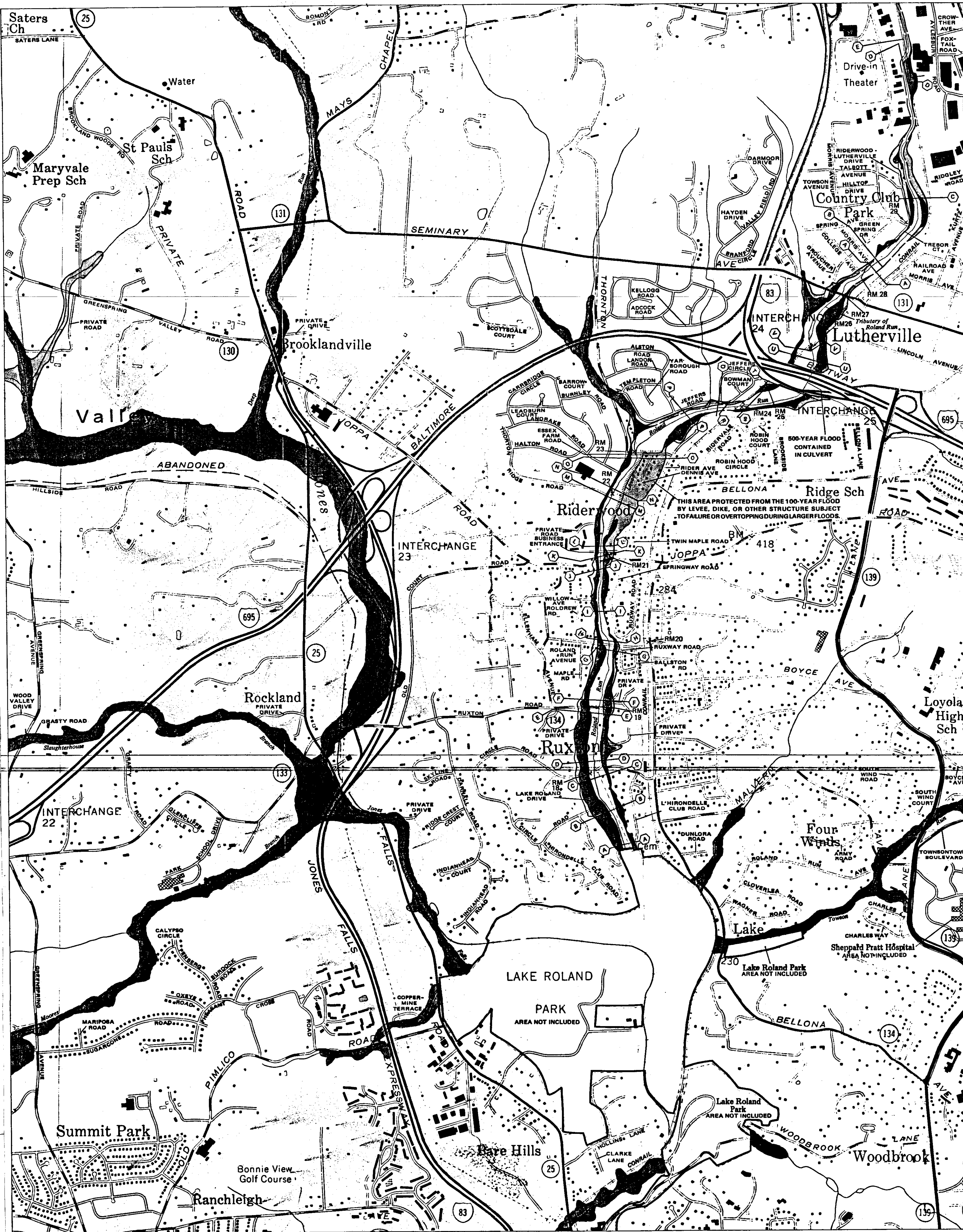


BOLLARD, CHAIN BARRIER & STORAGE

NOT TO SCALE

VIEW 8

Feb 201



KEY TO MAP

500-Year Flood Boundary
 100-Year Flood Boundary
 FLOODWAY FRINGE
 100-Year Flood Boundary
 500-Year Flood Boundary
 Approximate 100-Year Flood Boundary

Cross Section Line

Elevation Reference Mark RM7
 River Mile M1.5

NOTES TO USER

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the Federal Emergency Management Agency.

This map was prepared to facilitate flood plain management activities only; it may not show all special flood hazard areas in the community or all planimetric features outside of the flood plain. Refer to the latest official Flood Insurance Rate Map for any additional areas of special flood hazard.

Floodway widths in some areas may be too narrow to show to scale. Refer to Floodway Data Table where floodway width is shown at 1/20 inch.

For adjoining map panels, see separately printed Index to Map Panels.

For Description of Elevation Reference Marks, see Panel 240010 0200 B.



APPROXIMATE SCALE
 1000 0 1000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FLOODWAY FLOOD BOUNDARY AND FLOODWAY MAP

BALTIMORE COUNTY,
 MARYLAND
 (UNINCORPORATED AREAS)

PANEL 245 OF 575
 (SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
 240010 0245

MAP REVISED:
 OCTOBER 16, 1987



Federal Emergency Management Agency

Pet
 No 11

improvements may not constitute "development" as defined by the Code, and thus, a waiver is not necessary. In the alternative, the County urges approval of the waiver.

Counsel for the County notes that Section 26-276 of the Code restricts "development" in any riverine floodplain. Moreover, Section 26-168 of the Code sets out definitions of words used in Article V, the development regulations. Development means, in part, "The improvement of property for any purpose involving building." The word "building" is defined as "A structure enclosed with exterior walls or firewalls for the shelter, support, or enclosure of persons, animals or property of any kind."

Utilizing these definitions, Counsel for the County argues that a waiver is not required in that the nature of the improvements proposed does not constitute development in that the primary use of the property will be as athletic fields, with no building or structure constructed thereon.

Although this is a close case, I do not agree that the proposed improvements are, by definition, exempt from the development regulations. The definition of "Development" in Section 26-168(p) is broad. It includes not only the subdivision or combination of land, but the improvement thereof. Subsection 26-168(p)(5) encompasses within the definition of development the mere "preparation of land" for the improvement thereof. Further, the definition in Section 26-168(g) defines the word "Building" as a noun. Specifically, that definition defines the word as a structure of some type. The word "building" as used in Section 26-168(p) is a verb. Therefore, I find that the proposed bridge, drainage facility and parking lot are in the nature of improvements within the definition "Development" and thus, require a waiver from the provisions of Section 26-276.

A close reading Section 26-276 is also required. It is to be noted that language within that Section specifically exempts, from the application of the floodplain prohibition, a number of improvements, including a bridge and a utility and/or drainage facility. Thus, it might be argued that Section 26-276, by its very terms, is not applicable so as to prohibit the proposed bridge and drainage area here. However, a thorough reading of that Section discloses that the prohibition

ORDER RECEIVED FOR FILING

Date

By



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

May 16, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 15, 2000

Item No.: See Below

Dear Ms. Stephens:

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:

447, 449 ,450, 451, 452, 454, 455, 456, 459, 460, 461, 446

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

