IN RE: DEVELOPMENT PLAN HEARING & PETITION FOR VARIANCE	*	BEFORE THE	
11th Election District	*	HEARING OFFICER	
5th Councilmanic District			
(Moore's Meadow)	*	OF BALTIMORE COUNTY	
E. Joppa Road, LLC, *Developer*	*	Case Nos. XI-728 & 02-376-A	

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

ORDER ON MOTION FOR RECONSIDERATION

This matter came before this Deputy Zoning Commissioner/Hearing Officer for Baltimore County as a requested approval of a Development Plan entitled "Moore's Meadow". Said project is known as Case No. XI-728 and Case No. 02-376-A and involved the development of a parcel of property located on the southwest side of E. Joppa Road and the east side of Cowenton Avenue, in the Honeygo area of Baltimore County. A public hearing was held on April 4, 2002 and the Development Plan was approved by Order dated April 29, 2002.

Thereafter, on or about May 29, 2002, J. Carroll Holzer, attorney at law, representing adjacent property owner Lena Myers, filed a Motion for Reconsideration relating to one of the conditions of approval of the Development Plan as contained within my Order approving the Development. The Motion for Reconsideration involved a road connection of "Court A", which is the main road to service most of the lots within the subdivision known as Moore's Meadow and property owned by Mr. Lena Myers, which is located to the south of the subject property.

At the Development Plan hearing held before me, the Developer agreed to provide an access road to Ms. Myers' property. The approximate location of the access road was shown as a Red Line Modification to the Development Plan. At the time of the public hearing, all those in attendance appeared satisfied with the requirement for this connection and the location of same.

However, as stated previously, on May 29, 2002, Mr. Holzer, representing Ms. Myers, filed this Motion for Reconsideration asking for further clarification of the particulars of the road connection, the timing of the road connection, the extension of utilities underneath the roadbed itself, and other matters as stated within his Motion for Reconsideration.

Mr. Barhight, representing the Developer in this case, filed a response to the Motion for Reconsideration, which was filed in this case. All parties agreed to waive Rule 2(K) of the Zoning Commissioner's Rules of Procedure, which required a final resolution of the matter within 30 days from the date of the filing of this Motion for Reconsideration. The purpose for waiving the 30 day requirement was to give these two property owners an opportunity to resolve the issue at hand. The waiver request was granted to the parties and negotiations commenced between them.

However, at the time of the issuance of this Order, it appears that the parties are unable to resolve their differences relative to the road connection as required by my original Order. Therefore, the parties have requested that a final order be issued resolving the matter. It should also be noted that Mr. Barhight, representing the Developer in this case, has attempted to retract his prior agreement to waive the Rule 2(K), 30 day requirement. Once all parties agreed to this waiver, it is not appropriate for one of those parties to attempt to retract that agreement. Therefore, I find that it is not appropriate for either party to be able to retract the previously requested waiver and there is no time limit associated with the issuance of this order.

It should be noted that the issue of the interconnection of parcels of land is an issue which commonly occurs at the Hearing Officer's Hearing. Adjacent property owners, hoping to develop their property in the future, are always looking for additional road connections in order to facilitate the orderly development of their property. In prior cases, all that was necessary to cause this interconnection was to simply mandate that the developer set aside an appropriate road connection on the Development Plan submitted for approval. Simply showing this connection in graphic form on the Development Plan was all that was necessary on prior occasions. This is the first such time that two parties have been unable to agree on this connection and have requested a ruling on the specificity of the connection itself. For the most part, I, as Hearing Officer, have always considered the substance of the motion for reconsideration and the answer filed thereto as more of a Phase II development issue than a Phase I issue which commonly is presented before

this Hearing Officer.

Because I am reluctant to entertain this motion in its entirety, believing some of the matter to be a Phase II issue, I shall rule on what I believe is appropriate to be determined at this point, leaving other matters to be determined by the Bureau of Land Acquisition and the Department of Public Works.

In an effort to further clarify my condition of approval which mandated that the Developer provide access to the property owned by Lena Myers, it is this 11th day of September, 2002, by this Deputy Zoning Commissioner/Hearing Officer,

ORDERED that:

1. The road connection from "Court A" to the property owned by Lena Myers, as depicted on the Development Plan submitted at the original Hearing Officer's Hearing, shall be engineered, designed and constructed pursuant to Baltimore County's standards and specifications and the elevation of the roadbed itself shall be constructed as close to the existing grade of the Myers' property as is practicable. Any and all grading plans for the future construction of this road connection shall be submitted to the Department of Public Works for compliance with this restriction.
2. The Developer shall be required to extend such public utilities to the property owned by Ms. Lena Myers as are contained and planned for within the Moore's Meadow residential subdivision. The Developer should only be required to extend such public utilities as actually exist within their own subdivision. These utilities shall be extended within the interconnecting roadbed as shown on the Development Plan. Again, the final review of the method by which these public utilities are extended shall be reviewed and approved by the Department of Public Works.
3. The Developer shall be required to construct and install the roadbed and extend public utilities at approximately the same time that the feeder road, shown on the plan as "Court A", is constructed and installed on the property. These road improvements

shall be made coincidental with one another.

4. The Developer shall be required to dedicate the interconnection road, as well as the feeder road identified as "Court A" to Baltimore County at the same time. These dedications shall be in accordance with the policies and procedures normally followed and as are established by the Bureau of Land Acquisition and other agencies of Baltimore County.

5. The Developer shall be required to pave the entire length of the interconnector road between "Court A" and the Lena Myers' property coincidental to the time that "Court A" is actually paved with macadam. My previous restriction indicated a distance of 140 ft. However, upon reconsideration, the Developer shall be required to pave the road in its entirety up to the property line owned by Lena Myers.

IT IS FURTHER ORDERED, that the remaining matters raised within the Motion for Reconsideration and the Answer filed thereto, are not appropriate for me, as Hearing Officer, to rule upon at this time. The determination as to when Lena Myers or her successors or assigns may be permitted to utilize the road system contained within the Moore's Meadow subdivision must be decided at a future date. It is obvious to me that Ms. Myers has proper access at this time to her property by some other means other than through the property owned by this Developer. Perhaps her driveway is not sufficient to allow her property to be developed into residential lots. However, I suggest that it is proper to provide access to Ms. Myers herself. The time at which Ms. Myers may have full access through the road system contained within Moore's Meadow shall be determined by the Director of Public Works, at such time as that agency believes it is appropriate to allow access to the general public on this road system. This question of timing should not be decided by me in Phase I of this project, but rather should be determined later in the development process. Therefore, I do not believe it is appropriate for me as Hearing Officer to make a finding by way of this Order as to when Ms. Myers or her successors or assigns may be permitted to use this road system. This decision must be made at a

9/11/02 J.E. Jamieson

1/29/03

IN THE MATTER OF THE APPLICATION OF NEW LIFE FELLOWSHIP WORSHIP CENTER, INC. FOR A VARIANCE ON PROPERTY LOCATED ON THE S/S OLD COURT ROAD, 106' N OF THE C/L PINELAND COURT (4727 OLD COURT ROAD) 2ND ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT	*	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY CASE NO. 02-392-A

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

REMAND TO ZONING COMMISSIONER
UPON APPELLEE'S UNCONTESTED MOTION TO REMAND

Upon consideration of Appellee's Uncontested Motion to Remand Appeal, and after a hearing held on January 23, 2003, it is this 29th day of January, 2003, by the Board of Appeals of Baltimore County

ORDERED that the Appeal in the above captioned matter, be and is hereby remanded to the Zoning Commissioner's office for consideration of the amendment to the Petition for Variance that is set forth in the Settlement Agreement signed by the parties.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

C. Lynn Barranger

C. Lynn Barranger, Panel Chair

Lawrence S. Wescott

Margaret Worrall

A COPY OF THIS ORDER TO BE MAILED TO:

Scott M. Breza, Esquire
The Jefferson Building, Suite 400
105 W. Chesapeake Avenue
Towson, Maryland 21204
Attorney for the Appellee

William Obriecht, President
Liberty Road Community Council
P.O. Box 31617
Baltimore, MD 21207

Peter Max Zimmerman, People's Counsel for Baltimore County
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

January 29, 2003

Peter Max Zimmerman
People's Counsel for Baltimore County
Room 48, Old Courthouse
400 Washington Avenue
Towson, MD 21204

Scott M. Breza, Esquire
The Jefferson Building, Suite 400
105 W. Chesapeake Avenue
Towson, MD 21204

RE: *In the Matter of: New Life Fellowship Worship Center, Inc.* /Case No. 02-392-A

Dear Counsel:

Enclosed please find a copy of the Board's Remand Order issued this date in the subject matter.

Very truly yours,

Kathleen C. Bianco/trs

Kathleen C. Bianco
Administrator

Enclosure

c: Liberty Road Community Council
by William Obriecht, President
Charlene Brown Crowdy / New Life
Fellowship Worship Center, Inc.
Helen B. Aiken, President /Old Court Estates
Improvement Association
People's Counsel for Baltimore County
Lawrence E. Schmidt, Zoning Commissioner
Pat Keller, Planning Director
James H. Thompson, CIE /PDM **(Enf Case #01-0616)**
Arnold Jablon, Director /PDM

12/5/02

IN THE MATTER OF MOORE'S MEADOWS; E JOPPA RD LLC –OWNER /DEVELOPER /**PDM XI-728** SOUTHWEST SIDE JOPPA ROAD, E COWENTON AVENUE 11TH ELECTION DISTRICT 5TH COUNCILMANIC DISTRICT	*	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
RE: DEVELOPMENT PLAN APPROVAL AND PETITION FOR VARIANCES	*	CASE NO. CBA-02-150 and CASE NO. 02-376-A

* * * * * * * * *

ORDER OF DISMISSAL

This matter comes to this Board on appeal filed by J. Carroll Holzer, Esquire, on behalf of Lena Myers, Appellant /Protestant, from the April 29, 2002 decision of the Hearing Officer and Order on Motion for Reconsideration rendered on September 11, 2002 by the Hearing Officer in which the subject Development Plan was approved and Petition for Variances granted, subject to restrictions.

WHEREAS, the Board is in receipt of a Notice of Withdrawal of Appeal filed November 13, 2002 by J. Carroll Holzer, Esquire, Counsel for Lena Myers, Appellant (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel on behalf of Appellant requests that the appeal taken in this matter be withdrawn and dismissed as of November 13, 2002 based upon an Agreement with Joppa Road East, LLC, owners of the subject property and Developers, (a copy of which is attached to said Notice of Withdrawal of Appeal and incorporated as Exhibit A);

IT IS ORDERED this 25th day of November, 2002 by the County Board of Appeals of Baltimore County that the appeal filed in this matter be and the same is hereby **DISMISSED**.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Lawrence M. Stahl

Margaret Worrall

Melissa Moyer Adams

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

November 25, 2002

J. Carroll Holzer, Esquire
508 Fairmount Avenue
Towson, MD 21286

RE: *In the Matter of: Moore's Meadows; E Joppa Road LLC*
Case No. CBA-02-150 and Case No. 02-376-A
Order of Dismissal

Dear Mr. Holzer:

Enclosed please find a copy of the Order of Dismissal issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco

Kathleen C. Bianco
Administrator

Enclosure

c: Lena Myers
G. Scott Barhight, Esquire
Alan Scoll /Ernest Sheppe /David Thaler – D.S. Thaler & Associates
Mickey Cornelius /The Traffic Group
Perry Hall Meadows LLC and Southern Land, Inc.
Gerald M. Katz, Esquire
John Miller
Jim Rawle
William Libercci
Jeanette Poletynski
Office of People's Counsel
Lawrence E. Schmidt /Z.C.
Pat Keller /Planning Director
Walter Smith, Jr., Project Manager /PDM
Arnold Jablon, Director /PDM
Fred and Fran Myers
Nancy Briscoe
Dennis Eckard

11/13/02

IN RE: Moore's Meadows/PDM XI-728
SW/s Joppa Road; E. Cowenton Ave.

11TH Election District

5th Councilmanic District

Joppa Road East, LLC, *Developer*

* BEFORE THE

* COUNTY BOARD OF

* APPEALS

* OF BALTIMORE COUNTY

*

Case No. CBA-02-150 &
* 02-376-A

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

NOTICE OF WITHDRAWAL OF APPEAL

Lena Myers, by her attorney J. Carroll Holzer and Holzer and Lee, Appellant in the above captioned matter, herewith immediately withdraws her Appeal to the Board of Appeals of Baltimore County filed on October 11, 2002 based upon an Agreement with Joppa Road East, LLC, owners of the subject property and Developers, attached hereto and incorporated herein as Exhibit A.

Very truly yours,

J. Carroll Holzer
508 Fairmount Ave.
Towson, MD 21286
410-825-6961
Attorney for Appellant

AW OFFICE
ZER AND LEE
508 BUILDING
RMOUNT AVENUE
ON, MARYLAND
21286

0) 825-6961
410) 825-4923

C:\My Documents\Notices\Lena Myers-Withdrawal of Appeal to CBA.doc

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ~~31st~~ 13th day of ~~October~~ NOVEMBER, 2002, a copy of the foregoing Notice of Appeal was mailed first class, postage prepaid to the following:

G. Scott Barhight, Esquire
Whiteford, Taylor & Preston, L.L.P.
210 West Pennsylvania Avenue
Towson, Maryland 21204-4515
Attorney for Joppa Road East, LLC, Developer

Gerald M. Katz, Esquire
Hodes, Ulman, Pessin & Katz, P.A.
Suite 400
901 Dulaney Valley Road
Towson, Maryland 21204
Counsel for Perry Hall Meadows, LLC

J. Carroll Holzer

10/2/02

RECEIVED
OCT 2 2 2002
BALTIMORE COUNTY
BOARD OF APPEALS

IN RE: DEVELOPMENT PLAN HEARING & PETITION FOR VARIANCE 11th Election District 5th Councilmanic District (*Moore's Meadow*)	*	BEFORE THE HEARING OFFICER OF BALTIMORE COUNTY
E. Joppa Road East, LLC, *Developer*	*	Case No. XI-728 & 02-376-A

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

APPELLANTS' PETITION ON APPEAL

Lena Myers, by her attorney J. Carroll Holzer and Holzer and Lee, Appellant in the above captioned matter, feeling aggrieved by the decision of the Hearing Officer rendered on April 29, 2002 and Order on Motion for Reconsideration rendered on September 11, 2002, hereby submits this Petition in support of her Appeal and says as follows:

1. Appellant intends to require and produce testimony de novo as related to all variances granted.
2. In order to adequately and properly access the landlocked Myers' property, the Developer, at its sole cost and expense, should engineer, design and construct the Road per Baltimore County standards and specifications as shown on the attached red lined drawing entitled, "A Portion of the Approved Red Lined Development Plan, Moore's Meadows Motion Exhibit 1 Approved: April 29, 2002" all in accordance with the Baltimore County Development Procedures and Policy Manual, Department of Public Works, Division II, Sections 9.5.1 F and 11.3. Further, the elevation of the Road should be as close to existing grade as possible.

3. The Developer should extend to the Myers' property at its sole cost and expense all utilities constructed below the Road including, but not limited to, sewer, water, storm drain, gas, electric, cable T.V., fiber optic cable, telephone, street lights, etc.
4. In order to adequately and timely serve the Myers' property, the Road must be constructed, including all utility work (at the Developer's sole cost and expense) simultaneous to the Developer's construction (including utility work) of the Feeder Road. The Road and the Feeder Road shall be completed and available for use at the same time.
5. The Developer should grant a Blanket Easement through the Moore's Meadows property anywhere in, on, along or around the Feeder Road in order for the Myers' property to be accessed continuously and without interruption in the event that the Feeder Road or Road is blocked due to construction or if the Developer is delayed for any reason.
6. The Developer should dedicate the Road and the Feeder Road at the same time to Baltimore County, Maryland in a timely fashion, time being of the essence.
7. The Hearing Officer erred in approving the Plan on 4/29/02 in violation of clear requirements of the County Code and Development Regulations.
8. The Hearing Officer erred in determining suitable outfalls and the storm water management facilities for the subject site.
9. For such other and further relief as may be presented at oral argument before the Board.

WHEREFORE, Appellant respectfully requests this Honorable Board reverse the decision of the Hearing Officer.

Very truly yours,

J. Carroll Holzer
508 Fairmount Ave.
Towson, MD 21286
410-825-6961
Attorney for Appellant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of October, 2002, a copy of the foregoing Petition was mailed first class, postage prepaid to the following:

G. Scott Barhight, Esquire
Whiteford, Taylor & Preston, L.L.P.
210 West Pennsylvania Avenue
Towson, Maryland 21204-4515
Attorney for Joppa Road East, LLC, Developer

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204
Counsel for Perry Hall Meadows, LLC

Gerald M. Katz, Esquire
Hodes, Ulman, Pessin & Katz, P.A.
Suite 400
901 Dulaney Valley Road
Towson, Maryland 21204
Counsel for Perry Hall Meadows, LLC

J. Carroll Holzer

10/14/02
cs
To: George / Back 10/16/02 ww

IN RE: DEVELOPMENT PLAN HEARING & PETITION FOR VARIANCE 11th Election District 5th Councilmanic District (Moore's Meadow)	*	BEFORE THE HEARING OFFICER OF BALTIMORE COUNTY
E. Joppa Road East, LLC, *Developer*	*	Case No. XI-728 & 02-376-A

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

NOTICE OF APPEAL

Lena Myers, by her attorney J. Carroll Holzer and Holzer and Lee, Appellant in the above captioned matter, feeling aggrieved by the decision of the Hearing Officer rendered on April 29, 2002 and Order on Motion for Reconsideration rendered on September 11, 2002, hereby notes an appeal to the County Board of Appeals. Attached hereto and incorporated herein is the Hearing Officer's Order of April 29, 2002, Motion for Reconsideration filed on May 29, 2002 and Hearing Officer's Order dated September 11, 2002. Filed concurrently with this Notice of Appeal is a check made payable to Baltimore County to cover the cost of the appeal.

Ms. Myers was a party below and fully participated in the proceedings.

Very truly yours,

J. Carroll Holzer
508 Fairmount Ave.
Towson, MD 21286
410-825-6961
Attorney for Appellant

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By bh

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of October, 2002, a copy of the foregoing Notice of Appeal was mailed first class, postage prepaid to the following:

G. Scott Barhight, Esquire
Whiteford, Taylor & Preston, L.L.P.
210 West Pennsylvania Avenue
Towson, Maryland 21204-4515
Attorney for Joppa Road East, LLC, Developer

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204
Counsel for Perry Hall Meadows, LLC

Gerald M. Katz, Esquire
Hodes, Ulman, Pessin & Katz, P.A.
Suite 400
901 Dulaney Valley Road
Towson, Maryland 21204
Counsel for Perry Hall Meadows, LLC

J. Carroll Holzer

Exhibit L

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

TO: Timothy M. Kotroco
Deputy Zoning Commissioner

DATE: April 23, 2002

FROM: R. Bruce Seeley, Project Manager RBS
Environmental Protection and Resource Management

SUBJECT: Moores Meadow
Development Plan

The unresolved issues pertaining to the subject Development Plan are resolved. The attached comments dated April 17, 2002 from the Stormwater Management Section of this Department recommend that the upstream property owner (the developer of Moores Meadow) grant permission to the downstream property owner allowing connection to the storm drain system at design point # 3. The Developer's engineer has provided verification that the stormwater management outfalls are suitable.

All outstanding issues have been addressed. If you have any questions, please contact me at 410-887-4488 extension 274.

Attachments

HEARING OFFICERS HEARING CONFERENCE
I.D. # A011321
MOORE'S MEADOW SECTION ONE
APRIL 4, 2002 @ 9:00 AM

STORM WATER MANAGEMENT COMMENTS:

1. The Storm Water Management Act:

   A. The Developer is responsible to address the requirements of the Baltimore County Code, Title 14, Article V.

   B. Provisions for exemptions, waivers and variances for Storm Water Management (SWM) are described in this document. Exemptions, waivers and variances should be applied for and granted (or denied) by the County before Development Plan approval is given.

   C. Conditions for recording plats and granting grading and building permits as related to SWM are also described in this document. The developer is advised to be aware of these conditions and include them in planning the project to avoid unnecessary delays to construction.

2. - General Engineering Requirements:

   A. Peak management of the 2 and 10 year storm events is normally required. If the development is in certain designated inter-jurisdictional watersheds or, if deemed necessary Baltimore County, 100 year peak management may also be required.

   B. Please refer to the Storm Water Management Section of the Baltimore County Design Manual for general design criteria. Hydrology shall be in accordance with the June 1986 version of TR-55.

   C. Water quality measures are required to some degree on all projects not exempt from SWM. The developer is responsible for addressing all applicable requirements of agencies whether within or outside of Baltimore County having jurisdiction over water quality, streams or wetlands.

   D. Storm water management facilities are also subject to review and approval by the Baltimore County Soil Conservation District.

E. Storm water management facilities which either outfall to a Baltimore County storm drain system or for which a public road will serves as a pond embankment will be reviewed and approved concurrently by the Department of Public Works and the Department of Environmental Protection and Resource Management.

F. Site design must maintain, to the extent possible, predevelopment drainage patterns and characteristics. Diversion of drainage is discouraged and DEPRM reserves the right to prohibit drainage diversions it finds detrimental.

3. Maintenance Requirements:

A. Storm water management facilities may be maintained by Baltimore County if the following conditions are met, subject to approval of the Department of Environmental Protection and Resource Management:

(1) Residential subdivision in which all lots are for sale in fee.

(2) Requirements for public ponds given in the Baltimore County Department of Public Works Design Manual are all met.

(3) Storm water management facility is enclosed in a reservation shown on the record plat to allow the facility to be deeded in-fee to Baltimore County.

B. Private maintenance of SWM facilities is acceptable. A Deed of Declaration must be executed by the developer guaranteeing maintenance of and County access to SWM facilities before plats may be recorded and before grading or building permits may be granted. Storm water management facilities in residential subdivisions to be maintained privately by a Homeowners Association shall be designed according to the requirements for public ponds.

4. Guidelines for Development Plan Approval:

A. Show type, size and location of all SWM facilities on the Development Plan, including qualitative management facilities. Preliminary computations (hydrology) should be provided to verify that the SWM area(s) on the plan are adequate.

B. Show that all outfalls from SWM facilities and bypass areas are "suitable" as defined by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

C. Show that the SWM facilities do not create a hazard. An example of a hazard would be an embankment dam located so that in the event of a breach failure, down stream life or property is endangered.

D. List on development Plan any waiver or variance and give date of approval by Baltimore County.

5. Site - Specific Comments:

In addition to the above, each project will be given a brief review by the DEPRM's Division of Design and Review, and a set of specific comments will be provided. The developer is responsible for address these site specific comments, which are enumerated as follows:

A. 2, 10 and 100-year peak quantity management is required for this area.
B. Water quality measures consistent with the policy of DEPRM must be provided. Minimum water quality must be provided for the first 0.5 inch of runoff from all impervious areas. Infiltration practices must be investigated and are preferred where practical.
C. All site runoff must be conveyed to a suitable outfall without affecting the receiving wetland, watercourse, waterbody, storm drain or adjacent property.
D. A site visit was conducted on April 11, 2002. This office recommends that the upstream property owner grant permission to the downstream property owner to connect to the proposed Baltimore County storm drain system when it is constructed at design point #3.

R.A. Wirth for Lee A. Dregier

04/17/02

moore swm

8/2/02

IN RE: DEVELOPMENT PLAN HEARING & PETITION FOR VARIANCE 11th Election District 5th Councilmanic District (Moore's Meadow)	*	BEFORE THE HEARING OFFICER OF BALTIMORE COUNTY
Joppa Road East, LLC, *Developer*	*	Case No. XI-728 & 02-376-A

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

REPLY TO ANSWER TO MOTION FOR RECONSIDERATION

Lena Myers ("Myers"), by her attorneys, J. Carroll Holzer and Holzer & Lee, hereby Replies to the Answer to Motion for Reconsideration filed by Joppa Road East, LLC ("Developer") in the captioned matter on July 31, 2002, and states as follows:

A. The Answer filed by Joppa Road East, LLC leaves unresolved substantial issues of fact which need to be addressed by the Hearing Officer by conducting a Hearing concerning the factual issues in dispute among the parties. Primarily, the question concerning when adjoining property owner Lena Myers and her successors in interest, may begin to utilize the "Road" and the "Feeder Road." Ms. Myers believes she is entitled to access on the "Road" and the "Feeder Road" immediately upon the issuance by Baltimore County of a grading permit for said Roads. Joppa Road East, LLC proposes lawful access by Myers *after* dedication of the Roads to the County. This is a central and critical issue related to Myers' request for Reconsideration.

B. Myers further replies to the numbered paragraphs in Developer's Answer as follows:

1. Myers agrees with Developer that the Development Plan should be amended in accordance with Exhibit A to Myers' Motion for Reconsideration and that the Road shall be engineered, designed and constructed in accordance with Baltimore County's standards

LAW OFFICE
IOLZER AND LEE
THE 508 BUILDING
. FAIRMOUNT AVENUE
OWSON MARYLAND
21286

(410) 825-6961
AX (410) 825-4923

and specifications so that the Road elevation is as close as reasonably possible to the existing grade of the Myers' property, all in accordance with sound engineering practices.

2. Myers' Motion for Reconsideration requested that all utilities to be constructed within the Road be extended to the Myers' property. The Motion for Reconsideration lists the utilities, "including, but not limited to, sewer, water, storm drain, gas, electric, cable T.V., fiber optic cable, telephone, street lights, etc." Myers hereby withdraws her request that Developer extend sewer through the Road to the Myers' property line.

In Developer's Answer, Developer proffers that the Hearing Officer's Order should be amended to require a note to the effect that those public utilities that are offered within the Road should be extended to the Myers' property boundary at the time such utilities are constructed underneath the Feeder Road. However, Developer appears reluctant to list the utilities. Note 47 to the Development Plan lists various utilities, including "telephone, cable, gas, electric, water, sewer and storm drains", which shall not be constructed within open space areas unless approval for construction of those utilities is approved by Baltimore County. In light of Developer's inclusion of these utilities in Note 47, Myers does not understand Developer's reluctance to include the same in the proposed note. Myers respectfully submits that the Development Plan should be amended to include the following note:

> "All public utilities (except for sewer) constructed within Moore's Meadows, including but not limited to water, storm drains, gas, electric, cable, and telephone shall be extended within the Road to the Myers' property boundary when Developer constructs the same underneath the Feeder Road."

3. Myers agrees with Developer that the Development Plan should be amended to include a note concerning the timing of construction of the Feeder Road, the Road and the utilities to be located in the beds thereof, but requests that the note be more specific as to

timing. Myers respectfully submits that the Development Plan should be amended to include the following note:

> "The Road leading to the Myers' property boundary, including utilities, will be constructed simultaneous to the construction of the Feeder Road, including utilities, and once constructed, shall provide continuous and unlimited access to the Myers' property boundary."

Myers submits that as a practical consideration, there is no reasonable explanation why Developer would desire to construct the Feeder Road and the Road, including utilities as to both, at different times, since construction of both Roads and the utilities within them at different times would be more costly and time consuming to Developer and be unfair to the Myers' and her interests.

4. Myers requested a blanket easement in, on, along and around the Feeder Road and the Road for continuous, uninterrupted access to the Myers' property. While Myers concedes that the Hearing Officer may not be empowered to grant easements over the Moore's Meadow property, the Hearing Officer may require that the Development Plan be amended to include a note to the effect that vehicular access to the Myers' property shall be permitted on the Feeder Road and the Road if such access is necessary or advisable for the protection of surrounding and neighboring properties.

In this regard, Myers respectfully submits that such access is necessary for the protection of surrounding and neighboring properties of Moore's Meadows, since the only other possible access to the Myers' property consists of a fifteen foot (15') fee simple strip, which runs to a parcel of land that is owned not by Myers, but by Mr. Norbert Myers. To the extent that Developer argues that the Myers' property is not landlocked, Myers disagrees and submits that, without access over the Feeder Road and the Road, no adequate means of ingress,

egress and access to and from the Myers' property and a public road shall exist. Myers does not own the Norbert Myers' property and does not have fee simple ingress, egress and access to her property over the fifteen foot (15') strip. Because Myers does not have fee simple access to a public road, Myers respectfully submits that allowing ingress, egress and access to her property over the Feeder Road and the Road is imperative. Therefore, Myers respectfully submits that the Development Plan should be amended to include the following note:

> "Vehicular access shall be provided to the Myers' property boundary on the Feeder Road and the Road from and after the time that Baltimore County issues a grading permit for the construction thereof."

5. Myers requested that the Development Plan be amended to include a note to require the simultaneous dedication of the Feeder Road and the Road to Baltimore County. Developer's Answer clarifies that Developer is willing to amend the Development Plan to include a note that the Feeder Road and the Road shall be dedicated to Baltimore County "as close as practicable in time", but there is no reason not to be more specific. Myers respectfully submits that the Development Plan should be amended to include the following note:

> "The Road leading to the Myers' property boundary will be dedicated simultaneously with the dedication of the Feeder Road."

As a practical consideration, there appears to be no reasonable basis for dedicating the Feeder Road and the Road to Baltimore County at any other time than simultaneously. Both the Feeder Road and the Road will be offered for dedication to Baltimore County by the recording of a record plat, which must contain a note to the effect that the Feeder Road and the Road are offered for dedication to Baltimore County. The beds of the Feeder Road and the Road will be conveyed to Baltimore County by virtue of a County Highway Deed (or County Highway Deeds). Myers submits that no reasonable, practical considerations exist for

dedicating and conveying the Feeder Road and the Road to Baltimore County at any other time than simultaneously; so the inclusion of the proposed note on the Development Plan is a reasonable condition.

6. Myers' Motion for Reconsideration requested that the Hearing Officer's Order be amended to require the parties to enter into an agreement to memorialize the terms which provide the basis for an amended Order. Developer "respectfully refuses" to enter into any agreement in response to Myers' Motion for Reconsideration. Answer, Par. A.6.

Myers remains willing to enter into an agreement, which Myers believes *will serve the interests of all the parties and their respective properties and will facilitate the* timely and harmonious development of Moore's Meadow. In light of Developer's refusal, however, Myers concedes that the Hearing Officer cannot order the parties to reach agreement. The Hearing Officer can, however, impose the conditions requested by Myers as conditions for approval of the Development Plan.

7. Myers' Motion for Reconsideration also clarified certain terms of the proposed agreement. Developer "respectfully refuses to grant access or easement rights to Myers." Answer, Par. A.7.

Again, Myers remains willing to enter into an agreement, which Myers believes will serve the interests of all the parties and their respective properties and will facilitate the timely and harmonious development of Moore's Meadow. Myers respectfully submits, however, that the Hearing Officer can order the amendments described herein to allow Myers' access to the Myers' property via the Feeder Road and the Road.

C. Developer requests that the Hearing Officer's Order be amended to strike Condition No. 2, since "residents will be able to make use of the Road as they deem appropriate." Answer, Par. E.

Myers respectfully submits that Condition No. 2, at least with respect to the first sentence, must remain because the distance and description of the Road are not described elsewhere in the Order. Myers does not object to the second sentence thereof.

D. For the reasons stated in Paragraph A.4 herein, Myers disagrees with Developer's erroneous claims regarding access to the Myers' property, as stated in Paragraph F of Developer's Answer.

E. Myers rejects Developer's arguments in Paragraph G of its Answer. Developer's claim that by aligning the Road with the Myers' property, all issues concerning access to the Myers' property will be resolved. If merely aligning the Road with the Myers' property boundary resolved the issue of access, Developer would not expressly refuse to grant Myers access to her property via the Feeder Road and the Road. Answer, Par. A.7. The Hearing Officer is empowered to impose such conditions on approval of the Development Plan as are necessary or advisable to protect surrounding and neighboring properties and to alleviate adverse affects on the health, safety or welfare of the community. Baltimore County Code § 26-206(o). Myers submits that unless there is some assurance of access over the Feeder Road and the Road, the Myers' property will be landlocked and without adequate access to ensure the health, safety and welfare of Myers and her successors and assigns. By ensuring access, the Hearing Officer will not bestow special benefits upon Myers, but merely provide reasonable access to a public road, which other property owners in the community and Baltimore County generally are afforded. While Developer baldly claims that such access would somehow burden Developer,

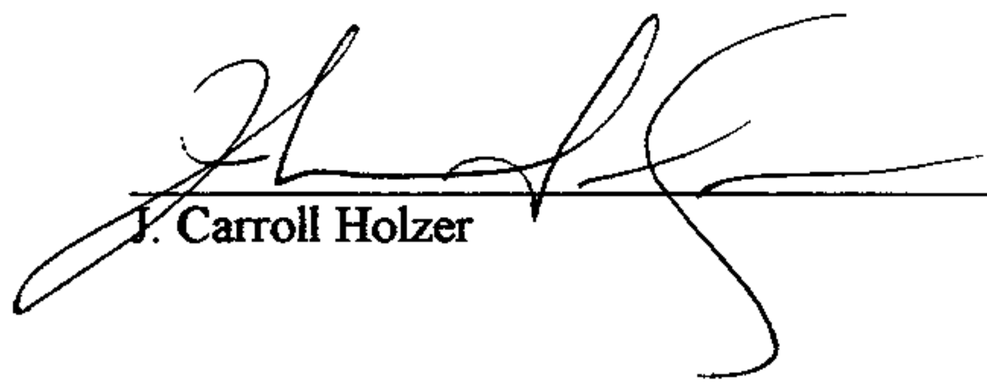
Myers submits that such access imposes no additional burden on Developer, since it has already agreed to construct the Feeder Road and the Road and the utilities therein to the Myers' property boundary.

F. Myers respectfully requests that the amended Order include a requirement that the notes described herein be included on the Final Development Plan and on the final record plat for the Moore's Meadows project. Developer refuses to enter into any agreement and to grant any easements, both of which could be recorded among the Land Records to give the public notice of the conditions. In light of Developer's refusal, Myers submits that requiring the inclusion of the notes on the Final Development Plan and on the final record plat are absolutely necessary to give the public and the purchasers of lots in Moore's Meadow notice of the matters described herein. Therefore, Myers respectfully requests that the Development Plan be amended to include the following note:

> "Notes numbered _____, _____, _____ and _____ on this Development Plan shall be restated in their entirety on the Final Development Plan and the final record plat."

FOR THE REASONS STATED HEREIN, Myers respectfully requests that the Hearing Officer conduct a Hearing concerning the Motion for Reconsideration, and enter an Amended Order, which is consistent with Myers' Motion for Reconsideration and this Reply.

Respectfully submitted,



J. Carroll Holzer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of August, 2002, a copy of the foregoing Reply to Answer to Motion for Reconsideration was mailed first class, postage prepaid to the following:

G. Scott Barhight, Esquire
Whiteford, Taylor & Preston, L.L.P.
210 West Pennsylvania Avenue
Towson, Maryland 21204-4515
Attorney for Joppa Road East, LLC, Developer

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204
Counsel for Perry Hall Meadows, LLC

Gerald M. Katz, Esquire
Hodes, Ulman, Pessin & Katz, P.A.
Suite 400
901 Dulaney Valley Road
Towson, Maryland 21204
Counsel for Perry Hall Meadows, LLC

J. Carroll Holzer

C:Answers\Myers Answer to Motion

7/1/02

IN RE: DEVELOPMENT PLAN HEARING & PETITION FOR VARIANCE 11th Election District 5th Councilmanic District (Moore's Meadow)	*	BEFORE THE HEARING OFFICER OF BALTIMORE COUNTY
JOPPA ROAD EAST, LLC, Developer	*	Case No: XI-728 & 02-376-A

* * * * * * * * * * *

ANSWER TO MOTION FOR RECONSIDERATION

Joppa Road East, LLC ("Developer"), by its attorneys, G. Scott Barhight and Whiteford, Taylor & Preston L.L.P., hereby responds to the Motion for Reconsideration filed by Lena Myers, and states as follows:

A. This matter came before the Deputy Zoning Commissioner/Hearing Officer for Baltimore County ("Commissioner") as a combined public hearing. The Commissioner entered his Hearing Officer's Opinion and Development Plan Order ("Order") on April 29, 2002. On or about May 29, 2002, Lena Myers ("Myers"), filed her Motion for Reconsideration in an attempt to "clarify certain matters related to the ability of Myers to access her property through Moore's Meadows."

B. The Developer specifically responds to the numbered paragraphs of relief requested by Myers as follows:

1. The Commissioner should amend his Order to require that the Development Plan be amended in accordance with the red-lined drawing entitled "A Portion of the Approved Red-Lined Development Plan, Moore's Meadows Motion Exhibit 1 Approved: April 29, 2002." Additionally, the engineering, designing and construction of the Road shall be done pursuant to Baltimore County's standards and

specifications. Further, the elevation of the Road should be as close as engineeringly practicable to the existing grade of the Myers' property.

2. The Commissioner should amend his Order to require that a note be added to the Development Plan requiring the Developer, its heirs, successors and assigns to extend such public utilities (except for sewer) offered within Moore's Meadows within the Road to the Myers' property boundary when the Developer, its successors, heirs or assigns constructs said public utilities underneath the Feeder Road. The Developer should only be required to extend such public utilities, other than sewer, that are installed by Developer to benefit Moore's Meadows.

3. The Commissioner should amend his Order to require that a note be added to the Development Plan indicating that the Road must be constructed, including all applicable utility work, at approximately the same time as construction, including all applicable utility work, of the Feeder Road.

4. The Developer respectfully asserts that the Commissioner does not have authority to require the grant of any interests in real property. The Baltimore County Circuit Court has exclusive and primary jurisdiction over the relative rights and responsibilities of individuals and entities in and to real property in Baltimore County. The Developer respectfully asserts that the Commissioner does not have the jurisdiction or the authority to grant the Blanket Easement requested in Paragraph 4 of the Motion for Reconsideration.

5. The Commissioner should amend his Order to require that a note be added to the Development Plan requiring that dedication of the Road and the Feeder Road to Baltimore County be as close as practicable in time. Further, such dedication

shall occur in accordance with the policies and procedures of Baltimore County, Maryland.

6. Please note the Developer's response to Paragraph 4 above, which is also applicable to Paragraph 6. The Developer respectfully refuses to enter into an agreement in response to the Motion for Reconsideration.

7. Please note the Developer's response to Paragraph 4 above, which is also applicable to Paragraph 7. The Developer respectfully refuses to grant access or easement rights to Myers.

C. For the purposes of this Answer to the Motion for Reconsideration, the Developer adopts the defined terms as identified in the Motion for Reconsideration.

D. Notwithstanding this Answer, the Developer does not waive any rights or arguments it may have to any issue, including but not limited to standing.

E. In light of Condition No. 2 in the Order regarding the paving of the Myers' access road to a distance of 140 feet, the Developer offers a further comment. The Commissioner's Order envisions a time period between the construction of the Feeder Road and Road versus the construction of the roads within the Myers' property. Given the request of Myers, it is respectfully suggested that Condition No. 2 be deleted from the Commissioner's Order. Developer, its heirs, successors and assigns, should be required to pave the entirety of the Feeder Road and the Road. Until such time as the Myers' property is developed, residents will be able to make use of the Road as they deem appropriate.

F. Developer does not adopt or accept the material facts asserted in the Motion for Reconsideration. For example, the Developer does not accept that the Myers'

property is landlocked. Developer asserts that the Myers' property does have adequate access to public roads and that the connection of the Myers' property to the Feeder Road and the Road is not required by any landlocked status. Nevertheless, Developer consents to the amendment of the Development Plan in accordance with the red-lined drawing attached to the Motion for Reconsideration.

G. The Developer respectfully asserts that by amending the Development Plan and Order in accordance with this Answer, that the matters relating to the ability of Myers to access her property through Moore's Meadows will be properly satisfied and established. The Developer is willing to realign the roadway in accordance with the request of Myers. This realignment should resolve all issues which are appropriate in the context of a Development Plan Hearing Officer's hearing. All other requested relief is outside the scope of relief envisioned by the Baltimore County Development Regulations. In any event, Myers should not be placed in any better position as it relates to the relative rights and responsibilities of the parties to real property, than the rest of the citizens of Baltimore County. Myers will gain access to the Moore's Meadows parcel when the public gains access. The Developer should be able to proceed with the development and construction of Moore's Meadows as long as it does so in accordance with the development policies and practices of Baltimore County. No additional burdens should be placed upon the Developer, its heirs, successors or assigns.

H. The Developer has been negotiating in good faith with David M. Meadows, Sharon E. Meadows, Perry Hall Meadows, LLC, Southern Land, Inc., Lena Myers, Frederick G. Myers, Patricia Dircks, Eugene S. Myers, and Norbert D. Myers as a result of the filing of the Motion for Reconsideration. Since the parties have not been able to reach

an agreement to resolve their differences, the Developer respectfully suggests that it is appropriate for the Commissioner to enter his Order in accordance with Rule 2.K. In order to provide ample opportunity for negotiation, the parties heretofore waived the 30 day time limitation for the Commissioner's ruling on the Motion. The Developer hereby terminates its waiver of said time limitation. The Developer respectfully requests that the Hearing Officer issue his amended Order in accordance with this Answer to the Motion for Reconsideration at his earliest convenience, but in no event later than 30 days from the date of this Answer.

THEREFORE, the Developer respectfully requests that the Commissioner enter an Amended Order in accordance with this Answer.

Respectfully submitted,

G. Scott Barhight, IDC

G. Scott Barhight
Whiteford, Taylor & Preston L.L.P.
210 West Pennsylvania Avenue
Towson, Maryland 21204-4515
(410) 832-2050
Attorney for
Joppa Road East, LLC, Developer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of July, 2002, a copy of the foregoing Motion was mailed first class, postage prepaid to:

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508 Fairmount Avenue
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Venable, Baeter & Howard
210 Allegheny Avenue
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Counsel for Perry Hall Meadows, LLC and Southern Land, Inc.

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David M. Meadows
Sharon E. Meadows
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P.O. Box 397
Perry Hall, MD 21128

G. Scott Barhight, IDC
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TELEPHONE 703 836-5742
FAX 703 836-0265

G. SCOTT BARHIGHT
DIRECT NUMBER
410 832-2050
gbarhight@wtplaw.com

July 31, 2002

DELIVERY BY HAND

The Honorable Timothy M. Kotroco
Zoning Commissioner's Office
4th Floor
401 Bosley Avenue
Towson, Maryland 21204

Re: Joppa Road East LLC - Moore's Meadow
Case No. XI-728 and 02-376-A

Dear Mr. Kotroco:

Enclosed for filing in the above-referenced matter, please find Joppa Road East, LLC's Answer to Motion for Reconsideration.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,

G. Scott Barhight

G. Scott Barhight

GSB:sll
Enclosure
cc: J. Carroll Holzer, Esquire
Robert A. Hoffman, Esquire
Gerald M. Katz, Esquire
David M. Meadows
Sharon E. Meadows

258787

5/29/02

IN RE: DEVELOPMENT PLAN HEARING & PETITION FOR VARIANCE	*	BEFORE THE
11th Election District	*	HEARING OFFICER
5th Councilmanic District		
(Moore's Meadow)	*	OF BALTIMORE COUNTY
E. Joppa Road, LLC, *Developer*	*	Case Nos.XI-728 & 02-376-A

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

MOTION FOR RECONSIDERATION

Lena Myers, adjacent property owner, participated in the Development Plan and Variance Hearing before the Deputy Zoning Commissioner/Hearing Officer in Case No. XI –728 and 02-376-A by writing a letter to the Deputy Zoning Commissioner requesting a road connection through the subject site (Moore's Meadows) to the Myers property. The Deputy Zoning Commissioner recognized the Myers concern in his final Opinion and Order of April 29, 2002 and required such a connection. Lena Myers believes that the Opinion and Order failed to clarify certain matters related to the ability of Myers to access her property through Moore's Meadows. Myers therefore files this Motion for Reconsideration pursuant to the Rules and Procedures before the Zoning Commissioner and/or Hearing Officer of Baltimore County, Rule 2, K and states specifically the grounds and reasons for such request as follows:

1. In order to adequately and properly access the landlocked Myers' property, the Developer, at its sole cost and expense, should engineer, design and construct the Road per Baltimore County standards and specifications as shown on the attached red lined drawing entitled, "A Portion of the Approved Red Lined Development Plan, Moore's Meadows Motion Exhibit 1 Approved: April 29, 2002" all in accordance with the Baltimore County

Development Procedures and Policy Manual, Department of Public Works, Division II, Sections 9.5.1 F and 11.3. Further, the elevation of the Road should be as close to existing grade as possible.

2. The Developer should extend to the Myers' property at its sole cost and expense all utilities constructed below the Road including, but not limited to, sewer, water, storm drain, gas, electric, cable T.V., fiber optic cable, telephone, street lights, etc.

3. In order to adequately and timely serve the Myers' property, the Road must be constructed, including all utility work (at the Developer's sole cost and expense) simultaneous to the Developer's construction (including utility work) of the Feeder Road. The Road and the Feeder Road shall be completed and available for use at the same time.

4. The Developer should grant a Blanket Easement through the Moore's Meadows property anywhere in, on, along or around the Feeder Road in order for the Myers' property to be accessed continuously and without interruption in the event that the Feeder Road or Road is blocked due to construction or if the Developer is delayed for any reason.

5. The Developer should dedicate the Road and the Feeder Road at the same time to Baltimore County, Maryland in a timely fashion, time being of the essence.

6. In order for the items listed above to be complied with, an Agreement should be prepared joining not only the Developer, but the current property owners of the Moore's Meadows property as signatories to the Agreement. This would

be a precautionary measure in order to protect Mrs. Myers in the event the Developer or any future Developer fails to perform its duties and defaults in its obligations. Further, the full and complete rights of each party herein must inure to the benefit of their heirs, successors and/or assigns.

7. This Agreement should become effective upon its execution, thereby permitting Vehicular Access to Lena Myers' property immediately. This way, Lena Myers' property can begin to be developed before Moore's Meadows begins to be developed.

I have defined several terms in order to clarify the above comments:

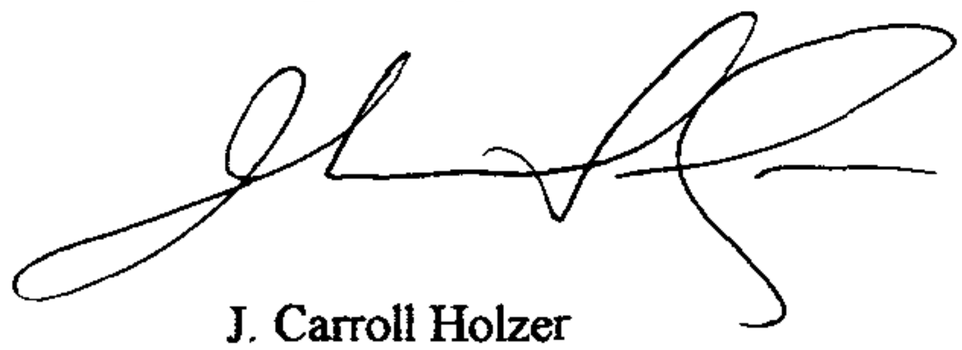
1. "Road" – The Red Lined Road on the attached plat entitled "Motion Exhibit 1" is the Road that will connect the Moore's Meadows property to the Lena Myers' property.
2. "Developer" – refers to the developer of the Moore's Meadows property.
3. "Vehicular Access" – shall refer to the means in which vehicles, including construction traffic, sales traffic, etc. shall access the Lena Myers' property through Moore's Meadows.
4. "Easement" – shall refer to that entire area of land comprising the Moore's Meadows project from Joppa Road to the Road leading to the Myers' property.
5. "Feeder Road" – shall refer to the proposed connector road shown on the Moore's Meadows property that connects Joppa Road to Cowenton Avenue.

Finally, as mentioned above, I have attached, as Exhibit A, an engineering drawing, marked as "A Portion of the Approved Red Lined Development Plan, Moore's Meadows Motion Exhibit 1 Approved: April 25, 2002," to illustrate the proposed

changes to the Deputy Zoning Commissioner/Hearing Officer Order of April 29, 2002.

For all the above reasons, Lena Myers, adjacent property owner, respectfully requests the Hearing Officer to reconsider his previous Opinion and Development Plan Order of April 29, 2002.

Respectfully Submitted,

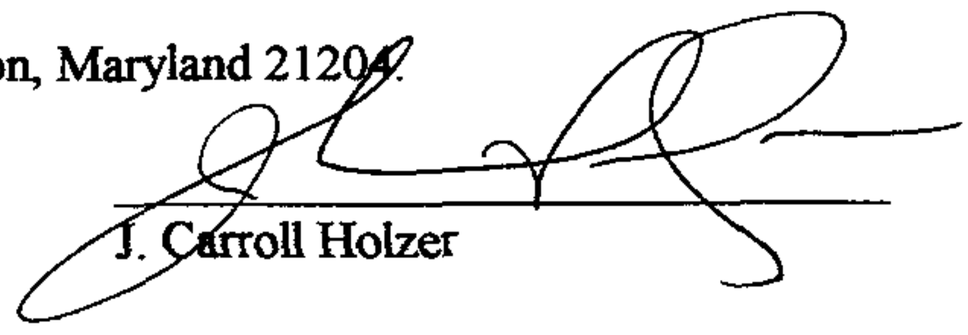


J. Carroll Holzer

JCH:sbb

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of May, 2002, a copy of the foregoing Motion for Reconsideration was mailed first class, postage pre-paid to Scott Barhight, 210 W. Pennsylvania Avenue, Towson, Maryland 21204.



J. Carroll Holzer

C://My Documents/Motions/Reconsideration – Moore's Meadows.doc

4/21/02

IN RE: DEVELOPMENT PLAN HEARING & PETITION FOR VARIANCE
11th Election District
5th Councilmanic District
(Moore's Meadow)

E. Joppa Road, LLC, *Developer*

* BEFORE THE
* HEARING OFFICER
* OF BALTIMORE COUNTY
* Case Nos. XI-728 & 02-376-A

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

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

This matter comes before this Deputy Zoning Commissioner/Hearing Officer for Baltimore County as a combined public hearing, filed pursuant to Section 26-206.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), for consideration of a Development Plan and a Petition for Variance filed by the E. Joppa Road, LLC, owners of the property and Developers herein. The owners are proposing the development of the subject property into 60 single-family residential lots. The subject property is located on the southwest side of E. Joppa Road, east of Cowenton Avenue. The particulars of the manner in which the property is proposed to be developed are more specifically shown on Developer's Exhibit No. 5, the Red Line Development Plan entered into evidence at the hearing. The subject Development Plan was prepared by D.S. Thaler & Associates, Inc., civil engineers. In addition to the Development Plan approval, zoning relief is sought from the Baltimore County Zoning Regulations as follows:

1. Petitioner hereby petitions for a variance from threshold limits contained in the B.C.Z.R. Section 259.7, pursuant to B.C.Z.R. Section 259.8 and B.C.Z.R. Section 4A02.4.G (incorrectly referred to as "4A02.4.F" in Section 259.8), to permit the issuance of building permits for construction pursuant to the Moore's Meadows Development Plan;

2. Petitioner hereby petitions for a variance from Section 259.7.S of the B.C.Z.R., to allow all dwellings within the Bird River Subarea to connect to the Honeygo Run sewer interceptor;

3. Petitioner hereby petitions for a variance from Section 259.9.B.4.b of the B.C.Z.R., to allow a 25 ft. setback from E. Joppa Road in lieu of the required 40 ft. setback for Lot #57;

4/29/02

4. Petitioner hereby petitions for a variance from Section 259.9.B.4.e of the B.C.Z.R., to allow a 15 ft. setback from the rear property line in lieu of the required 50 ft. setback for Lot #57;

5. Petitioner hereby petitions for a variance from Sections 259.9.G.3 and 504.2 of the B.C.Z.R. and page 26 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies (CMDP) to allow for one cul-de-sac/court in lieu of providing through connection to adjacent properties;

6. Petitioner hereby petitions for a variance from Sections 259.9.G.3 and 504.2 of the B.C.Z.R. and pages 29 and 31 of Part III. Division VI, Section E of the CMDP to allow for mountable curbs in lieu of the requirement for standard vertical curbs;

7. Petitioner hereby petitions for a variance from Sections 259.G.3 and 504.2 and page 31 of Part III, Division VI, Section E of the CMDP to allow for one cul-de-sac/court in lieu of the requirement that courts only occur for special design situations and between environmentally sensitive land areas;

8. Deleted as no longer applicable; and

9. Petitioner hereby petitions for a variance from Sections 259.9.F.4, 259.9.G.3 and 504.2 of the B.C.Z.R. and page 31 of Part III. Division VI, Section E of the CMDP to allow one court/cul-de-sac in excess of 40-0 ft. in length from the center line of the adjoining street.

Appearing at the hearing on behalf of the Development Plan approval and Variance requests were David Thaler, Ernest Sheppe and Alan Scoll, all representatives of D.S. Thaler & Associates, Inc., Mickey Cornelius, appearing on behalf of The Traffic Group, and G. Scott Barhight, attorney at law, representing the property owner. Appearing in opposition to the request were many residents from the surrounding community, all of whom signed in on the Citizens Sign-In Sheet. These individuals are too numerous to mention in the body of this Order. However, reference is made to the sign-in sheet which is contained within the Hearing Officer's file. In addition, representatives from the various Baltimore County reviewing agencies also attended the hearing; namely, Bob Bowling (Development Plans Review) and William A. Miner (Bureau of Land Acquisition), all from the Office of Permits & Development Management; R.

Bruce Seeley from the Department of Environmental Protection & Resource Management (DEPRM); Jeff Long from the Office of Planning; and Jan Cook from the Department of Recreation & Parks.

As stated previously, the Petitioner is requesting relief from the Baltimore County Zoning Regulations, as well as the Development Regulations contained within Section 26-206 of the Baltimore County Code. As to the Development Plan approval request, it is noted that a Concept Plan Conference was held on July 23, 2001. A Community Input Meeting was held thereafter at the Perry Hall High School on August 27, 2001. A Development Plan Conference followed on March 13, 2002 and a Hearing Officer's Hearing for this Development was held on April 4, 2002 in Room 106 of the County Office Building.

At the preliminary stage of the Development Plan hearing, I attempt to determine what, if any, issues or comments remain unresolved. Many of the issues raised at the preliminary stage were resolved by virtue of the submission of the Red Line Development Plan submitted as Developer's Exhibit No. 5 and/or the discussions held between the parties. However, not all issues were fully resolved and, therefore, testimony and evidence were taken by the various witnesses who attended this public hearing.

The first issue, which was unable to be resolved at the hearing, warranted that the hearing be continued and the record remain open until such time as the Department of Environmental Protection and Resource Management (DEPRM) could review data and information submitted by the Developer. This particular issue involved the suitability of the outfalls for the two storm water management areas proposed to be located on this property. These modifications were recent additions to the Development Plan and the technical information required to be submitted with those modifications were not fully reviewed by representatives of DEPRM. Of particular

concern to DEPRM and also several of the residents who attended the hearing was the storm water management facility proposed to be located in the far northwestern corner of the property. This storm water management facility is located along Cowenton Avenue and the outfall associated with this pond is proposed to discharge along an existing drainage swale on the east side of Cowenton Avenue. This recent modification to the Development Plan evolved by virtue of the extension of the entrance roadway through this subdivision and connecting to Cowenton Avenue. The Developer originally proposed a cul-de-sac terminus to this entrance road shown on the Development Plan as "Court A". However, at the request of some of the citizens who reside in the area, as well as County agencies, the Developer now proposes to make a through connection from E. Joppa Road to Cowenton Avenue. This has necessitated the proposal to locate the storm water management facility and outfall in the northwestern corner of the property.

Mr. Bruce Seeley, speaking on behalf of DEPRM, indicated that his office wished to perform a full review and analysis of this modification to ensure that the outfall pipe for this storm water management facility would not cause any greater impact on those properties located down gradient from the property over and above the amount of runoff that naturally flows from the property today. In the event DEPRM took issue with the information submitted by the Developer, then the case would be rescheduled for another public hearing. However, should the information be acceptable, then Mr. Seeley would notify this Hearing Officer that a future public hearing would not be warranted.

By letter dated April 23, 2002, Mr. R. Bruce Seeley, representative of DEPRM, notified this Hearing Officer that the issues raised at the public hearing regarding the suitability of the outfalls for both storm water management ponds have been fully resolved to the satisfaction of

his department. That letter, as well as the information attached thereto, are appended to this Order as Exhibit 1 and incorporated herein.

It should be noted that some of the citizens who attended the hearing raised the very same concern asserted by DEPRM relative to storm water drainage. They indicated that they would rely upon DEPRM'S review of this issue to ensure that their properties would not be adversely affected. Inasmuch as this particular issue over the storm water management facilities proposed for this subdivision have been resolved to the satisfaction of DEPRM, this issue does not warrant that the Development Plan be denied or restrictions imposed.

No other issues were raised by the Baltimore County reviewing agencies. All preliminary issues discussed at the hearing were resolved by virtue of the red line plan submitted at the hearing. However, several citizens raised issues which warrant discussion herein.

Mr. Jim Rawle owns property adjacent to the property proposed to be developed, situated along E. Joppa Road, immediately to the southeast of the Developer's property. Mr. Rawle proposes to subdivide his own property. He is concerned that adequate utilities be extended from this proposed development onto his land. He has requested that the drainage and utility easement proposed to be located between Lots #52 and #60 be extended to his property line so that he may utilize the same public utilities in furtherance of the development of his own property. The Developer indicated that this would be accomplished and that the utilities would be sufficient to accommodate the development of Mr. Rawle's property.

Another issue raised at the hearing concerned the road connection of this proposed development to Cowenton Avenue. Previously, the Developer proposed a dead-end cul-de-sac and no connection to Cowenton Avenue. However, the red line plan submitted at the hearing before me shows that a through connection is proposed to be made from E. Joppa Road to

Cowenton Avenue. Ms. Jeanette Poletynski did not favor this road connection and opposes same. Ms. Poletynski is against additional traffic being generated onto Cowenton Avenue, not only from the residents who purchase homes within this community, but also those who might drive down from E. Joppa Road. While Ms. Poletynski and others oppose the road connection to Cowenton Avenue, a great number of individuals support this connection. Submitted into evidence as Developer's Exhibit No. 2 was a petition signed by many residents of the area requesting that the connection be made in order to allow traffic to flow freely through this subdivision and provide a second means of access for the residents who purchase these lots. After considering the testimony and evidence offered at the hearing, I find that the connection to Cowenton Avenue should be required. This will provide two methods of access for the residents of this community and also allow for the free flow of traffic from these surrounding neighborhoods. Accordingly, this red line modification shall be approved.

The modification of the Development Plan to allow the road connection at Cowenton Avenue has caused those residents in that area to object to the traffic that will be generated by this subdivision. They feel that Cowenton Avenue is not a sufficient roadway to accommodate this additional traffic. Testifying on this issue on behalf of the Developer was Mr. Mickey Cornelius. Mr. Cornelius is a traffic expert employed by the firm of The Traffic Group. Mr. Cornelius testified that his office has performed studies of Cowenton Avenue and surrounding roadways and their intersections. He testified that, based on their studies, all surrounding intersections were determined to have a level of Service "A", which is the highest assessment given to these roadways. The level of Service "A" was given during off-peak hours. Mr. Cornelius also performed studies during the peak travel hours of the day. Based on his studies during this peak travel time, the surrounding intersections were classified as a Level of Service

"C". In his expert opinion, these surrounding roadways and intersections are more than capable of handling the traffic that will be generated not only by this subdivision, but by other surrounding communities which are planned to be developed in the future. Based on the testimony provided by Mr. Cornelius, I find that the road systems coupled with the modifications proposed to be made by this Developer, are sufficient to handle the traffic which will be generated by this 60 lot residential subdivision and, therefore, this issue is not sufficient to warrant that the Development Plan be denied.

There were no other issues raised at the hearing regarding the Development Plan. Therefore, the Red Line Development Plan submitted into evidence as Developer's Exhibit No. 5 shall be approved, subject to the conditions and restrictions imposed at the end of this Order.

As stated previously, the Developer has not only requested approval of a Development Plan, but has also requested a number of variances for this project. Variance # 1 is a request to allow the issuance of building permits for construction pursuant to the Moore's Meadows Development Plan and Variance #2 involves permission to allow all dwellings within the Bird River Sewer Subarea to connect to the Honeygo Run Sewer Interceptor. These variances involve Section 259.7 of the Baltimore County Zoning Regulations. Variance relief from that provision is permitted in accordance with Section 4A02.4.G of the Baltimore County Zoning Regulations. Testimony was taken on this issue from Mr. Cornelius, as well as Mr. Thaler and Mr. Scoll. Essentially, these two variances relate to a moratorium on the issuance of building permits for this project and also to allow certain of these lots to be sewered to the Honeygo Run Interceptor in lieu of the Bird River Subarea. Based on the testimony and evidence offered at the hearing, I find that this project would have less of an impact than that assumed by the District Standard that would otherwise restrict or prohibit the Development. In addition, I further find that the granting

of these two special variances would not adversely impact any other individual whose application was filed prior to this Petitioner's application. Furthermore, there is a sufficient amount of sewer capacity in the Honeygo Run Sewer Interceptor to accommodate not only the lots which are the subject of this Development Plan, but also all those other potential lots which may be developed in the future within the Honeygo Run Interceptor area. It should also be noted that all of the lots proposed to be developed herein will be serviced by gravity flow and there is no need for injector pumps. Accordingly, these special variances shall be granted.

Variance relief #3 and #4 related to Lot #57 as is shown on the Development Plan. Lot #57 is situated at the intersection of E. Joppa Road and the entrance road to this subdivision. The Developer proposes to orientate this house in a fashion so as to cause this variance relief to be generated. The Developer does not wish to face this house directly to E. Joppa Road or to the entrance road to this subdivision. By facing the house in either of those manners would cause the rear yard to be fully exposed to motorists traveling E. Joppa Road or the entrance road to the subdivision. By angling to the corner of the lot, the rear yard of the property is less obvious and the entrance to this subdivision is more aesthetically pleasing to motorists passing by. This is a design feature that, in the opinion of the Developer, makes for a nicer appearance to this community.

After considering the testimony and evidence offered regarding this variance request, I find that Variance #3 and #4 should be granted to allow the flexibility to this Developer to modify the orientation of the house proposed to be sited on Lot #57 in the fashion depicted on the site plan submitted into evidence.

Variance relief requested in #5, #6 and #9 relate to the single remaining cul-de-sac/court proposed to be located on the southeastern quadrant of the parcel to be developed. This cul-de-

sac services Lots #44 through #54. Variance #5 is to allow this cul-de-sac design feature in lieu of providing a through connection to adjacent properties. As can be seen by reviewing Developer's Exhibit #5, the Developer modified its Development Plan to allow a future right-of-way to connect to a previously landlocked adjacent property. By providing this road connection in the area between Lots #39 and #40, the variance request, as stated in Variance #5, becomes moot. Therefore, it is not necessary for this Developer to request this variance and it shall be dismissed as being unnecessary. As to Variance relief #7 and #9, as stated on the petition, and as that relief relates to the cul-de-sac/court in question, I find that that variance relief shall be granted.

The last remaining variance requested by this Developer involves permission to construct mountable curbs within this subdivision in lieu of the requirement for standard vertical curbs. This design feature enables the Developer to maintain flexibility as to the location of driveways that service the houses to be constructed on each lot. This particular request was also the subject of a waiver from Development Standards. Mr. Bob Bowling, appearing on behalf of the Department of Permits and Development Management, indicated that his department supports the Petitioner's request to allow the installation of these sloped curbs as opposed to the standard vertical curbing. This request was not opposed by anyone in attendance. Therefore, the Petitioner's request for variance and waiver shall be granted.

It warrants mentioning that Mr. William Libercci and Mr. Dennis Eckard, representatives of the Perry Hall Improvement Association, attended the hearing. Mr. Eckard testified that he wanted assurances that all of the lots contained within this subdivision will meet the 85 ft. width requirement at the front and rear of each home and that the road connection proposed to be installed between Lots #39 and #40 be actually paved with macadam for a distance of 140 ft.

from "Court A". Mr. Eckard testified that these paved dead-end streets provide an excellent area for children to ride bicycles, skateboards, roller skates, play basketball and/or other recreational activities. Therefore, pursuant to his request, I shall mandate that all lots proposed to be created within this subdivision shall maintain a minimum width of at least 85 ft. at the front and rear foundation lines of the homes to be constructed on those properties. Furthermore, the Developer shall pave a distance of 140 ft. of the access road leading into the property owned by Lena Myers from "Court A".

The Development Plan, as submitted with the modifications set out pursuant to the red line submittal entered into evidence as Developer's Exhibit No. 5 and subject to the conditions and restrictions imposed by this Order, shall be approved. Moreover, the Petition for Variance shall also be granted. I believe that the proposed development is appropriate and satisfies the spirit and intent of both the Zoning and Development Regulations. In addition, the project is in accordance with the spirit and intent of the high quality goal oriented Honeygo Standards. Although certain zoning variances are being requested, they are legally justified and are warranted, in view of the testimony and evidence offered at the hearing in support of those variances. Thus, the Development Plan shall be approved and the Petition for Variance granted.

Pursuant to the Zoning and Development Plan Regulations of Baltimore County, as contained within the Baltimore County Zoning Regulations and Subtitle 26 of the Baltimore County Code, the advertising of the property and the public hearing held thereon, the Development Plan shall be approved consistent with the conditions and restrictions imposed hereinafter and the Petition for Variance granted.

THEREFORE, IT IS ORDERED, by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, this 29th day of April, 2002, that the Development Plan for "Moore's Meadows" identified herein as Developer's Exhibit No. 5, be and it is hereby APPROVED.

IT IS FURTHER ORDERED, that the Petition for Variance seeking relief as follows:

1. Petitioner hereby petitions for a variance from threshold limits contained in the B.C.Z.R. Section 259.7, pursuant to B.C.Z.R. Section 259.8 and B.C.Z.R. Section 4A02.4.G (incorrectly referred to as "4A02.4.F" in Section 259.8), to permit the issuance of building permits for construction pursuant to the Moore's Meadows Development Plan;

2. Petitioner hereby petitions for a variance from Section 259.7.S of the B.C.Z.R., to allow all dwellings within the Bird River Subarea to connect to the Honeygo Run sewer interceptor;

3. Petitioner hereby petitions for a variance from Section 259.9.B.4.b of the B.C.Z.R., to allow a 25 ft. setback from E. Joppa Road in lieu of the required 40 ft. setback for Lot #57;

4. Petitioner hereby petitions for a variance from Section 259.9.B.4.e of the B.C.Z.R., to allow a 15 ft. setback from the rear property line in lieu of the required 50 ft. setback for Lot #57;

5. Deleted as being moot;

6. Petitioner hereby petitions for a variance from Sections 259.9.G.3 and 504.2 of the B.C.Z.R. and pages 29 and 31 of Part III. Division VI, Section E of the Comprehensive Manual of Development Policies to allow for mountable curbs in lieu of the requirement for standard vertical curbs;

7. Petitioner hereby petitions for a variance from Sections 259.G.3 and 504.2 and page 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for one cul-de-sac/court in lieu of the requirement that courts only occur for special design situations and between environmentally sensitive land areas;

8. Deleted as being moot; and

9. Petitioner hereby petitions for a variance from Sections 259.9.F.4, 259.9.G.3 and 504.2 of the B.C.Z.R. and page 31 of Part III. Division VI, Section E of the Comprehensive Manual of Development Policies to allow one court/cul-de-sac in excess of 40-0 ft. in length from the center line of the adjoining street.

be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the waiver to allow sloped curb and gutter in lieu of the standard vertical curb and gutter shall be APPROVED.

IT IS FURTHER ORDERED, that the approval of the Development Plan and the granting of the variances herein are subject to the following conditions and restrictions:

1. The drainage and utility easement located between Lots #52 and #60, which terminates at the common property line owned by James Rawle and Renata Ramsburg, shall be sufficient in width and shall contain the necessary utilities to allow the subdivision of that adjacent property.

2. The Developer shall be required to pave and improve with macadam paving a distance of 140 ft. of the road access leaving from "Court A" to the property owned by Lena Myers. This paved dead-end roadway shall be an amenity to the children in the neighborhood to use as a basketball court, skateboard riding, roller-skating, bicycle riding, etc.

3. All lots proposed to be located within this subdivision shall measure a minimum width of 85 ft. at the front and rear foundation lines of the houses to be constructed thereon.

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

Timothy Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5225 E. Joppa Road

which is presently zoned D.R. 3.5H

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

SEE ATTACHED

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

To be presented at hearing

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

E. Joppa Road, L.L.C.
Douglas F. Eshelman, Member
Name - Type or Print

01/11/02
Signature

E. Joppa Rd, LLC
7115 Ambassador Road, PO Box 47428 JRB
Address Telephone No.

Baltimore, MD 21224
City State Zip Code

Attorney For Petitioner:

Jennifer R. Busse
Name - Type or Print

Jennifer R. Busse
Signature

Whiteford, Taylor & Preston
Company

210 W. Pennsylvania Ave, 4th Fl
Address Telephone No.

Towson, MD 21204 (410) [redacted] 832-2077
City State Zip Code JRB

Case No. 02-376-A

REV 9/15/98

Legal Owner(s):

SEE ATTACHED
Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Jennifer R. Busse
Name

210 W. Pennsylvania Ave, 410-832-2077
Address Telephone No.

Towson, MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING
Reviewed By JLC & JP Date 03-08-02

PETITIONER : E. JOPPA RD. LLC
PROPERTY : 5225 E. JOPPA RD.
ATTACHMENT TO PETITION FOR VARIANCES

SIGNATURES OF PROPERTY OWNERS :

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

For Parcel 1000 :

Roy E. Jones
Name – Type or Print

Roy E. Jones
Signature

P.O. Box 2963
Address - Street

~~Conway, SC 29528~~
City, State, Zip

410-832-2077
Telephone Number

For Parcels 65, 946, & 1042

David M. Meadows
Name – Type or Print

David M. Meadows
Signature

Sharon E. Meadows
Name – Type or Print

Sharon E Meadows
Signature

5225 East Joppa Raod
Address – Street

Perry Hall, MD 21128
City, State, Zip

410-832-2077
Telephone Number

02-376-A

PETITIONER : E. JOPPA RD. LLC
PROPERTY : 5225 E. JOPPA RD.
ATTACHMENT TO PETITION FOR VARIANCES

Requested Variances :

1. Petitioner hereby petitions for a Variance from the threshold limits contained in Baltimore County Zoning Regulations ("BCZR") Section 259.7, pursuant to BCZR Section 259.8 and BCZR Section 4A02.4.G (incorrectly referred to as "4A02.4.F" in Section 259.8), to permit the issuance of building permits for construction pursuant to the Moores Meadows Development Plan.

2. Petitioner hereby petitions for a Variance from BCZR Section 259.7.S to allow all dwellings within the Bird River Subarea to connect to the Honeygo Run sewer interceptor.

3. Petitioner hereby petitions for a Variance from BCZR Section 259.9.B.4.b to allow a 25' setback from E. Joppa Road in lieu of the required 40' setback for Lot #57.

4. Petitioner hereby petitions for a Variance from BCZR Section 259.9.B.4.e to allow a 15' setback from the rear property line in lieu of the required 50' setback for Lot #57.

5. Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 26 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for two cul-de-sacs/courts in lieu of providing through connection to adjacent properties.

6. Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and pp. 29 and 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for mountable curbs in lieu of the requirement for standard vertical curbs.

7. Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for two cul-de-sacs/courts in lieu of the requirement that courts only occur for special design situations and between environmentally sensitive land areas.

8. Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for a court without a landscaped median at the turn-around section of the court.

9. Petitioner hereby petitions for a Variance from BCZR Section 259.9.F.4, BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow two courts/cul-de-sacs in excess of 400' in length from the center line of the adjoining street.

OR-576-A

PETITIONER : E. JOPPA RD. LLC
PROPERTY : 5225 E. JOPPA RD.
ATTACHMENT TO PETITION FOR VARIANCES

Requested Variances :

1. Petitioner hereby petitions for a Variance from the threshold limits contained in Baltimore County Zoning Regulations ("BCZR") Section 259.7, pursuant to BCZR Section 259.8 and BCZR Section 4A02.4.G (incorrectly referred to as "4A02.4.F" in Section 259.8), to permit the issuance of building permits for construction pursuant to the Moores Meadows Development Plan.

2. Petitioner hereby petitions for a Variance from BCZR Section 259.7.S to allow all dwellings within the Bird River Subarea to connect to the Honeygo Run sewer interceptor.

3. Petitioner hereby petitions for a Variance from BCZR Section 259.9.B.4.b to allow a 25' setback from E. Joppa Road in lieu of the required 40' setback for Lot #57.

4. Petitioner hereby petitions for a Variance from BCZR Section 259.9.B.4.e to allow a 15' setback from the rear property line in lieu of the required 50' setback for Lot #57.

modified 5. Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 26 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for ~~two~~ one cul-de-sac$/court$ in lieu of providing through connection to adjacent properties.

modified 6. Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and pp. 29 and 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for mountable curbs in lieu of the requirement for standard vertical curbs.

modified 7. Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for ~~two~~ one cul-de-sac$/court$ in lieu of the requirement that courts only occur for special design situations and between environmentally sensitive land areas.

deleted no longer applicable 8. Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for a court without a landscaped median at the turn-around section of the court.

modified 9. Petitioner hereby petitions for a Variance from BCZR Section 259.9.F.4, BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow ~~two~~ one court$/cul-de-sac$ in excess of 400' in length from the center line of the adjoining street.

02-376-A

January 14, 2002

MOORES MEADOW
Description to Accompany Zoning Petition
(for Zoning purposes only)

Beginning at a point located approximately 43 feet Northwest of the intersection of Peach Blossom Blvd. and Joppa Road, said point having Baltimore County coordinates of N 36,928, E 51,143 and running for the following thirteen courses and distances:

1. South 41°32'46" West 255.86 feet, more or less to a point; thence,
2. South 54°32'14" East 302.59 feet, more or less, to a point; thence,
3. South 71°58'52" West 2099.30 feet to, more or less, a point in the center of Cowenton Avenue; thence,
4. North 01°19'44" West 389.05 feet, more or less, to a point; thence leaving the center of Cowenton Avenue,
5. North 71°48'52" East 976.23 feet, more or less, to a point; thence,
6. North 09°45'05" East 816.80 feet, more or less, to a point; thence,
7. South 38°44'55" East 10.00 feet, more or less, to a point; thence,
8. North 37°44'05" East 85.04 feet, more or less, to a point; thence,
9. South 52°15'55" East 100.00 feet, more or less, to a point; thence,
10. North 37°44'05" East 238.28 feet, more or less, to a point: thence.
11. South 24°54'55" East 46.16 feet, more or less, to a point; thence,
12. South 34°12'13" East 397.29 feet, more or less, to a point; thence,
13. South 48°27'14" East 449.99 feet to the point of beginning.

Containing approximately 28.14 acres located in the 11th Election District and 5th Councilmanic District of Baltimore County.

H:\CORRESPONDENCE\PROJECTS\MOORE'S MEADOWS DOUG & RAY\DESCRIPTION TO ACCOMPANY ZONING PETITION SAM DOC

02-376-A

STATE OF MARYLAND
RICHARD F. LINSENMEYER
No. 503
REGISTERED
PROPERTY LINE SURVEYOR

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: #02-376-A
5225 E. Joppa Road
SW/S of E. Joppa Road, 43' NW of Peach Blossom Blvd.
5th Election District – 11th Councilmanic District
Legal Owner(s): Roy E. Jones, David M. & Sharon E. Meadows
Contract Purchaser: Douglas F. Eshelman, Member

Variance: to permit from threshold limits contained Baltimore County Zoning Regulations, (Honeygo) to permit the issuance of building permits for construction pursuant to the Moores Meadows Development Plan; also to allow all dwellings within the Bird River sub area to connect to the Honeygo per sewer interceptor; also, 2 setback variances for lot #57, also 5 variances to the Honeygo Design Guidelines.

Hearing: Thursday, April 4, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

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

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

3/243 Mar. 21 C527624

CERTIFICATE OF PUBLICATION

3/21, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/21, 2002.

☒ The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
☐ Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

S. Wilkinson

LEGAL ADVERTISING

ALTIMORE COUNTY, MARYLAND
FFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

JM7 **No. 10106**

ATE 2/11/02 ACCOUNT 001 Ch. 6156

02-333-A) AMOUNT $ 650.00

ECEIVED
ROM: Tri Estates

OR: Hearing

$225.00 Zoning Fee

STRIBUTION
HITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER 02-376-A.

PAID RECEIPT
PAYMENT ACTUAL TIME
2/12/2002 2/11/2002 14:06:39
REG 0502 CASHIER JEVA ,JEE DRAWER 2
>>RECEIPT # 185699 OFLH
REF 5 52 ZONING VERIFICATION
DEPT Zoning
Acct Tot $50.00
$50.00 CK .00 CA
Baltimore County, Maryland

2C

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 19001

DATE 10/17/02 ACCOUNT 001 006 6150

AMOUNT $ 460.00

RECEIVED FROM: J CARROLL HOLZER
HOLZER + LEE
210.00 250.00

FOR: APPEAL VARIANCE + DEVELOPMENT PLAN
02-376-A
MOORE'S MEADOW

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT
PAID RECEIPT
[illegible]
[illegible] 10/17/2002 [illegible]
[illegible] J CARROLL HOLZER [illegible]
RECEIPT # [illegible] 10/17/2002 [illegible]
[illegible] 6 52 ZONING VERIFICATION
[illegible]
[illegible] $460.00
[illegible] .00 CA
Baltimore County, Maryland

CERTIFICATE OF POSTING

Walt Smith

RE: Case No.: Hearing Officer's Hearing

Petitioner/Developer: Moores Meadows

Date of Hearing/Closing: 4-4-02

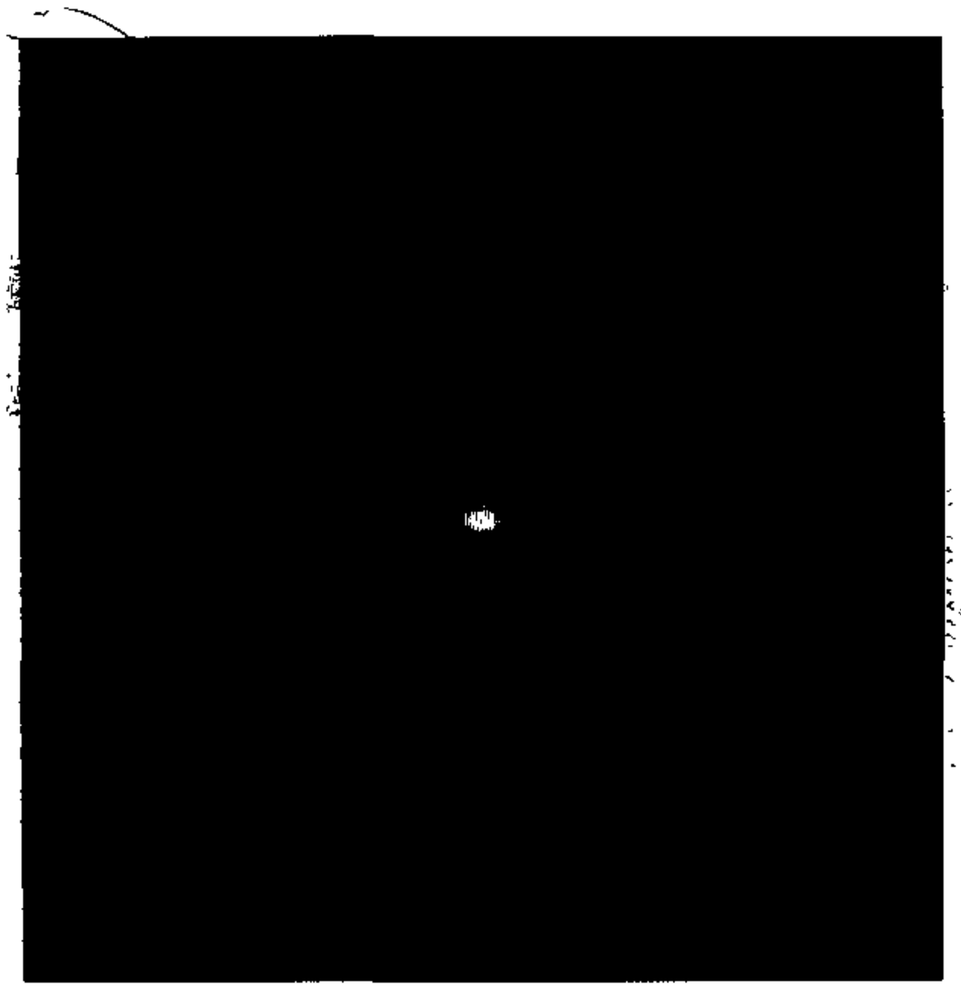
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at (1) sign posted at 5225 E. Joppa Rd. (1) sign posted on Cowenton Avenue on east side 100' north/northeast of Hornago Avenue

The sign(s) were posted on March 5, 2002
(Month, Day, Year)



Sincerely,

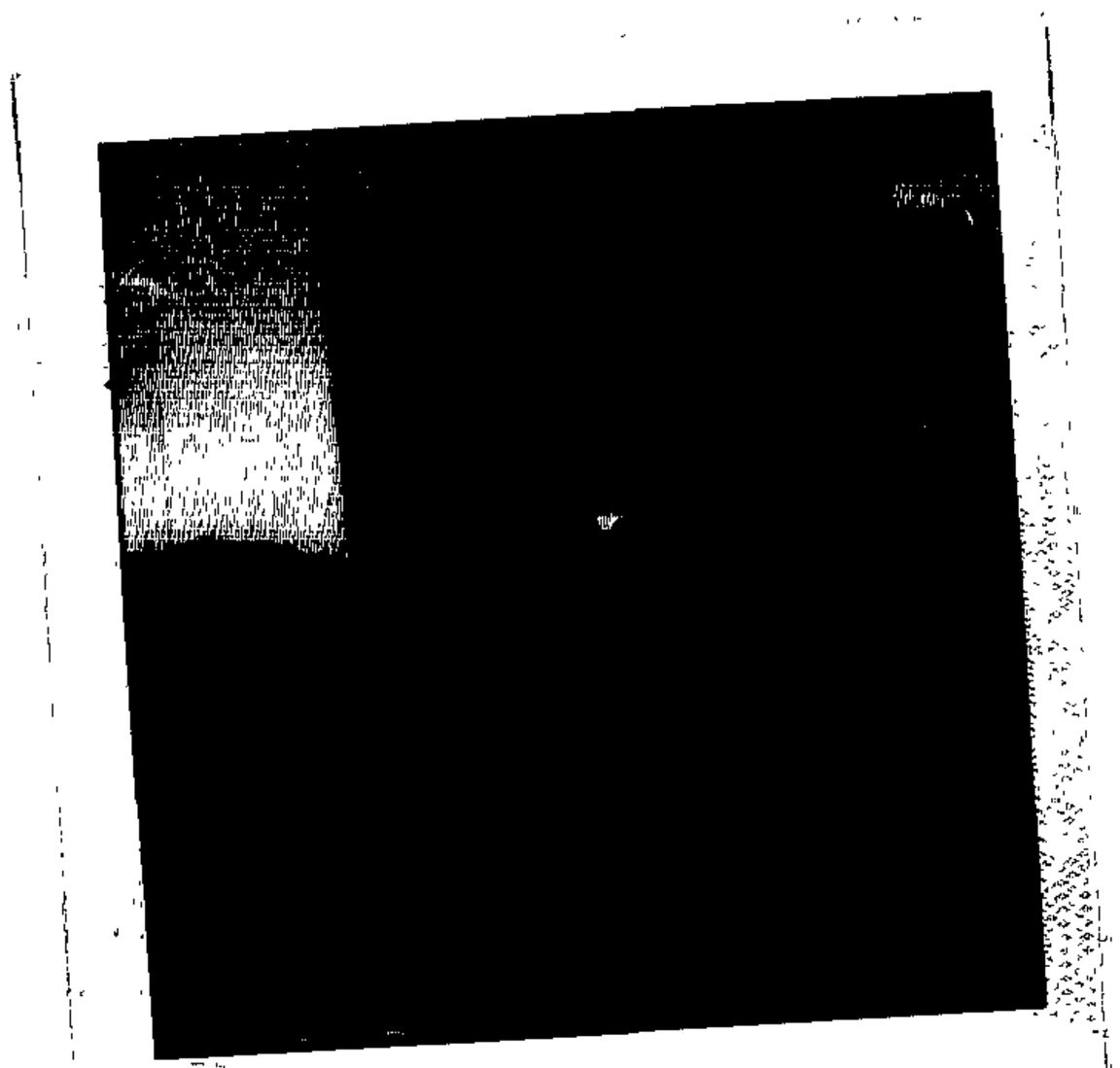
Stacy Gardner 3/7/02
(Signature of Sign Poster and Date)

Stacy Gardner
(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784
(Address)

(City, State, Zip Code)

410-781-4000
(Telephone Number)



CERTIFICATE OF POSTING

COMMUNITY INPUT MEETING

RE: Case No MOORES. MEADOWS

Petitioner Developer: E. JOPPA RD., LLC.

D.S. THALER

Date of Hearing/Closing: 8/27/01

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 2 ONSITE LOCATIONS COWENTON AVE OPP. -HORNAGD & JOPPA RD

The sign(s) were posted on 7/27/01
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 7/31/01
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)

CERTIFICATE OF POSTING

RE: Case No.: Hearing Officer's Hearing

Petitioner/Developer: _____

Moore's Meadows

Date of Hearing/Closing: 4-4-02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 5225 E. Joppa Rd.
Perry Hall, MD 21128

The sign(s) were posted on March 13, 2002
(Month, Day, Year)

* 2nd Posting of sign that was stolen

Sincerely,

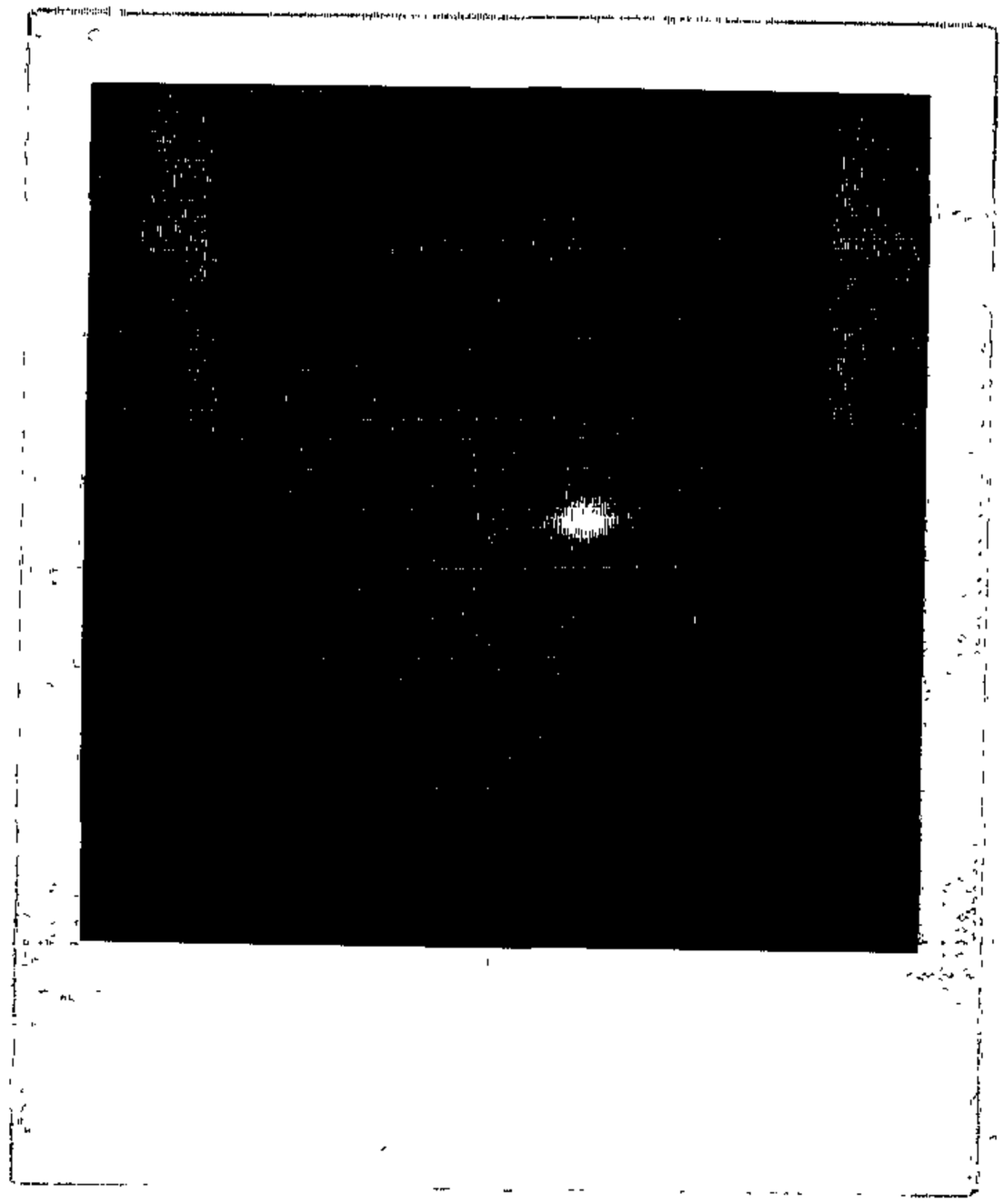
Stacy Gardner 3/13/02
(Signature of Sign Poster and Date)

Stacy Gardner
(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784
(Address)
(City, State, Zip Code)

410-781-4000
(Telephone Number)

9/96
cert.doc



CERTIFICATE OF POSTING

RE: Case No.: 02-376-A

Petitioner/Developer: E. JOPPA ROAD, LLC

(Moore's Meadows)

Date of Hearing/Closing: 4.4.02

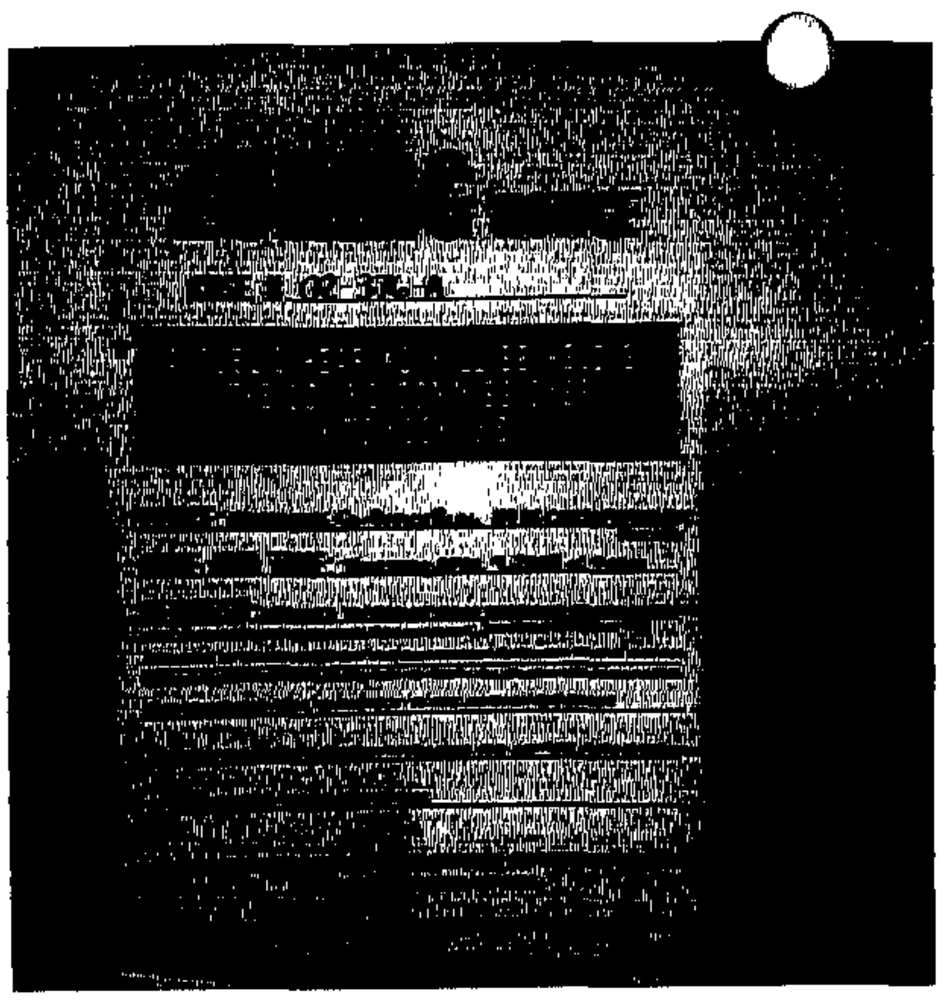
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at (1) E. Joppa Road and (1) Cowenton Ave.

The sign(s) were posted on March 19, 2002
(Month, Day, Year)



Sincerely,

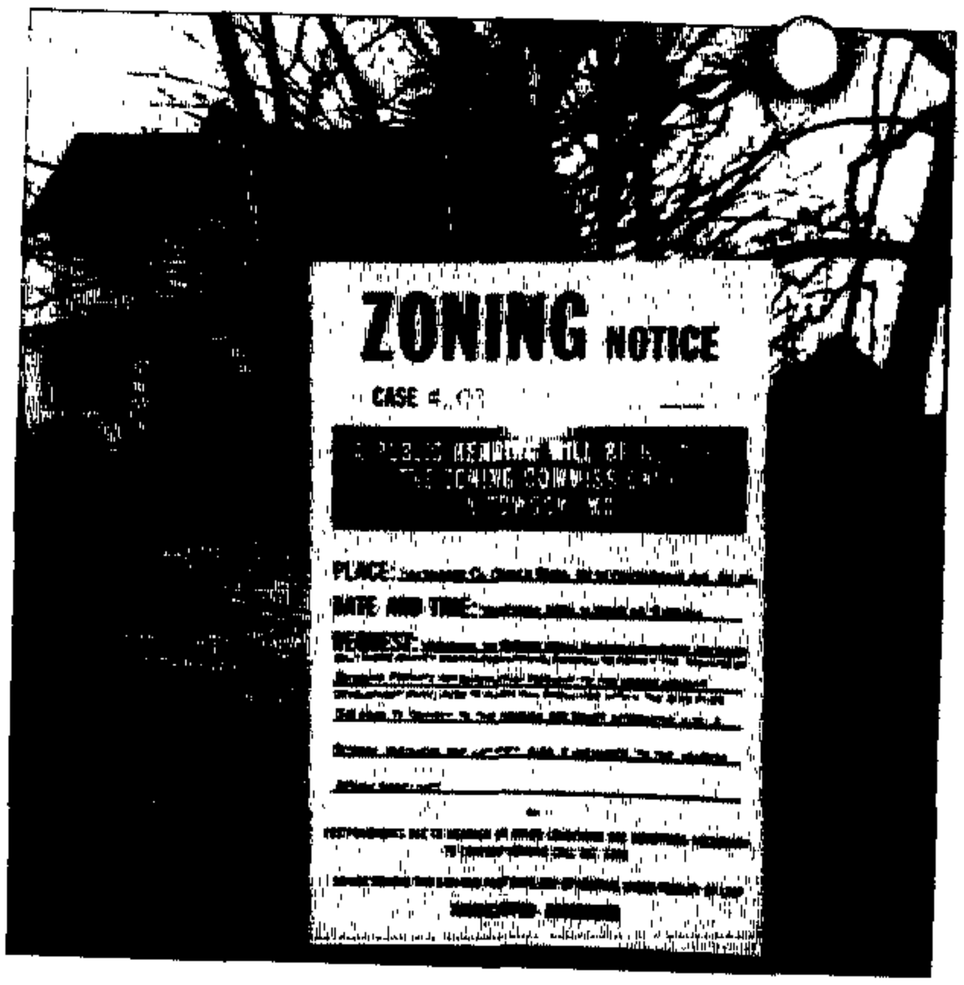
Stacy Gardner 3/19/02
(Signature of Sign Poster and Date)

Stacy Gardner
(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
(Address)
FREDERSBURG, MD. 21784

(City, State, Zip Code)

410-781-4000
(Telephone Number)


ZONING NOTICE
CASE #
PLACE:
DATE AND TIME:
REQUEST:

APPEAL SIGN POSTING REQUEST

CASE NO.: 02-376-A

Roy Jones, David M. and Sharon E. Meadows - LEGAL OWNERS

5225 E. Joppa Road, Perry Hall, MD 21128

11th ELECTION DISTRICT APPEALED: 10/11/02

ATTACHMENT – (Variances Plat to accompany Petition)

**********COMPLETE AND RETURN BELOW INFORMATION*****

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
400 Washington Avenue, Room 49
Towson, Maryland 21204

Attention: Kathleen Bianco
Administrator

RE: Case No.: 02-376-A

Petitioner/Developer:

JONES / MEADOWS

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

The sign was posted on 10/22, 2002

By: Gary Freund
(Signature of Sign Poster)

GARY C. FREUND
(Printed Name)

APPEAL SIGN POSTING REQUEST

CASE NO.: 02-376-A

Roy Jones, David M. and Sharon E. Meadows - LEGAL OWNERS

5225 E. Joppa Road, Perry Hall, MD 21128

11th ELECTION DISTRICT APPEALED: 10/11/02

ATTACHMENT – (Variances Plat to accompany Petition)

-

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Item Number or Case Number: ~~02-375-A~~ 02-376-A

Petitioner: E. Joppa Rd., LLC

Address or Location: 5225 E. Joppa Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jennifer R. Busse, Esq.

Address: c/o Whiteford, Taylor & Preston LLP
210 W. Pennsylvania Ave., Ste. 400
Towson, MD 21204

Telephone Number: 410 832 2077

02-376-A

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 21, 2002 Issue – Jeffersonian

Please forward billing to:
Jennifer R Busse Esquire
Whiteford Taylor & Preston
210 W Pennsylvania Avenue
Suite 400
Towson MD 21204

410 832-2077

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: 02-376-A
5225 E Joppa Road
SW/S of E Joppa Road, 43' NW of Peach Blossom Blvd
5th Election District – 11th Councilmanic District
Legal Owner: Roy E Jones David M & Sharon E Meadows
Contract Purchaser Douglas F Eshelman, Member

Variance to permit from threshold limits contained Baltimore County Zoning Regulations, (Honeygo) to permit the issuance of building permits for construction pursuant to the Moores Meadows Development Plan; also to allow all dwellings within the Bird River sub area to connect to the Honeygo per sewer interceptor; also, 2 setback variances for lot # 57, also 5 variances to the Honeygo Design Guidelines.

HEARING: Thursday, April 4, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
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

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

March 18, 2002

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: 02-376-A
5225 E Joppa Road
SW/S of E Joppa Road, 43' NW of Peach Blossom Blvd
5th Election District – 11th Councilmanic District
Legal Owner: Roy E Jones David M & Sharon E Meadows
Contract Purchaser Douglas F Eshelman, Member

Variance to permit from threshold limits contained Baltimore County Zoning Regulations, (Honeygo) to permit the issuance of building permits for construction pursuant to the Moores Meadows Development Plan; also to allow all dwellings within the Bird River sub area to connect to the Honeygo per sewer interceptor; also, 2 setback variances for lot # 57, also 5 variances to the Honeygo Design Guidelines.

HEARING: Thursday, April 4, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue

Arnold Jablon GDZ
Director

C: Jennifer R Busse, Whiteford Taylor & Preston, 210 W Pennsylvania Avenue, 4th Floor, Towson 21204
Roy E Jones, P O Box 2963, Conway SC 29528
David M & Sharon E Meadows, 5225 E Joppa Road, Perry Hall 21128
Douglas F Eshelman, E Joppa Road LLC, 7115 Ambassador Road, Baltimore 21224

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MARCH 20, 2002.**
(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.

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

October 21, 2002

NOTICE OF ASSIGNMENT

CASE #: CBA-02-150 and

CASE #: 02-376-A

IN THE MATTER OF: Moore's Meadows /PDM XI-728
E Joppa Road LLC – Owner /Developer SW/s Joppa Rd
E Cowenton Avenue 11th E; 5th C

4/29/02 - Order of HO/DZC which included Plan approval and grant of variances with restrictions

ASSIGNED FOR: ~~THURSDAY~~, **OCTOBER 31, 2002 at 10:00 a.m. /Day #1** ~~and THURSDAY, NOVEMBER 14, 2002 at 11:00 a.m. /as needed~~

As to Case No. CBA-02-150 /this matter has been assigned for hearing in accordance with Section 26-209 of the *BCC* ; and as to Case No. 02-376-A – assigned for evidentiary hearing.

NOTE: The Board's Rules of Practice & Procedure are found in *Baltimore County Code.*

Kathleen C. Bianco
Administrator

---

c: Counsel for Appellant /Protestant : J. Carroll Holzer, Esquire
Appellant /Protestant : Lena Myers

Counsel for Developer / E Joppa Rd LLC : G. Scott Barhight, Esquire

Alan Scoll /Ernest Sheppe /David Thaler – D.S. Thaler & Associates
Mickey Cornelius /The Traffic Group

~~Counsel for~~ Perry Hall Meadows LLC and Southern Land, Inc. ~~: Robert A. Hoffman, Esquire~~ : Gerald M. Katz, Esquire Removed per LTR. 10/24/02

John Miller
Jim Rawle
William Libercci
Jeanette Poletynski

Fred and Fran Myers
Nancy Briscoe
Dennis Eckard

Office of People's Counsel
Lawrence E. Schmidt /Z.C.
Walter Smith, Jr., Project Manager /PDM
Arnold Jablon, Director /PDM

NOTIFICATION LIST

G. Scott Barhight, Esq., Whiteford, Taylor & Preston, L.L.P., 210 W. Pennsylvania Ave., Towson, MD 21204-4515
J. Carroll Holzer, Esq., Holzer and Lee, 508 Fairmount Ave., Towson, MD 21286
Robert A. Hoffman, Esq., Venable Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204
Gerald M. Katz, Esq., Hodes, Ulman, Pessin & Katz, P.A., Suite 400, 901 Dulaney Valley Road, Towson, MD 21204
Alan Scoll, Ernest Sheppe, David Thaler, D.S. Thaler & Associates, Inc. 7115 Ambassador Road, Baltimore, MD 21244-7428
Mickey Cornelius, The Traffic Group, 9900 Franklin Square Drive, Ste. H, Baltimore, MD 21235
Mr. Jim Rawle, 4218 Wickford Road, Baltimore, MD 21210
Jeanette Poletynski, 5024 Hornago Avenue, Perry Hall, MD 21128
John Miller, 9116 Cowenton Avenue, Perry Hall, MD 21128
Fred & Fran Myers, 5323 E. Joppa Road, Perry Hall, MD 21128
Nancy Briscoe, 9018 Cowenton Avenue, Perry Hall, MD 21128
William Libercci, 19 Shawn Court, Baltimore, MD 21236
Dennis Eckard, 39 Bangert Avenue, Perry Hall, MD 21128

Arnold F. Keller, III, Director, Office of Planning
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director, Department of Permits and Development Management
Don Rascoe, Development Manager

AVE.

USE

COWENTON AVENUE

MOORES MEADOWS
NE 10 I
11TH DIST

148

D.R. 3.5
H

D.R. 3.5
H

ORCHARD

POB

JOPPA ROAD

ORCHARD

D.R. 3.5
H

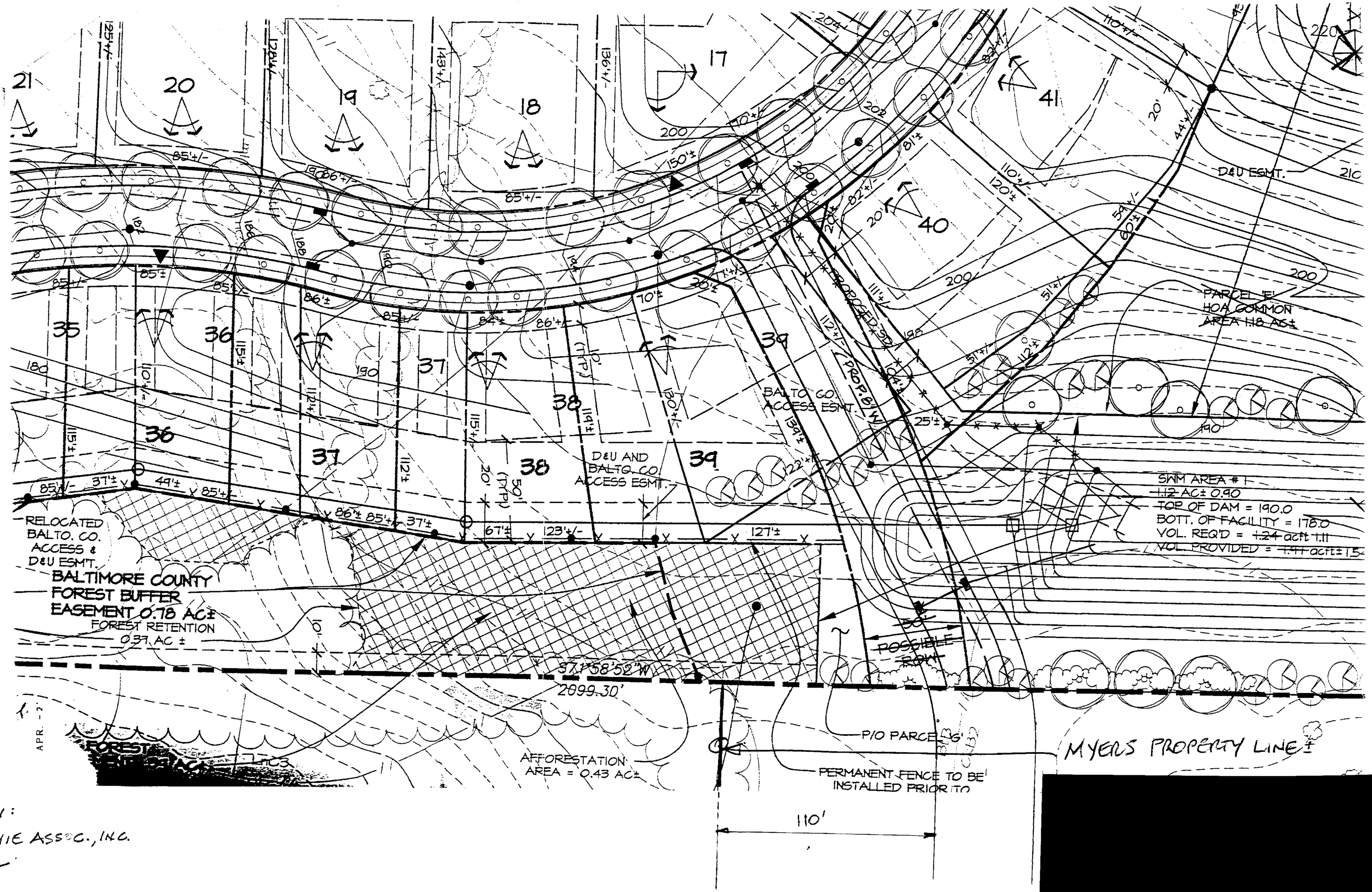
E 49,500

D.R. 3.5
H

E 51,000

(SHEET N.E. 9 – I)

BALTIMORE COUNTY



PREPARED BY:
MORRIS & RITCHIE ASSOC., INC.
APRIL 26, 2002

AGREEMENT

THIS AGREEMENT is entered into this 3rd day of ~~October~~ November, 2002, by and among JOPPA ROAD EAST, LLC ("Developer"); and DAVID M. MEADOWS and SHARON E. MEADOWS ("Meadows"); and ROY E. JONES ("Jones", and with Meadows, the "Owners"); and PERRY HALL MEADOWS, LLC ("PHM"); and LENA MYERS, FREDERICK G. MYERS, PATRICIA DIRCKS, EUGENE S. MYERS and NORBERT D. MYERS (collectively, "Myers") and NORBERT D. MYERS ("Norbert", and with Myers, the "Adjacent Owners").

BACKGROUND

A. Meadows are the owners of those lots or parcels of land located on Joppa Road, containing in the aggregate approximately 21.09 acres of land and shown as Parcels 1042, 946 and 65 on Tax Map No. 72 of the State Department of Assessments and Taxation Tax Maps for Baltimore County ("Meadows' Property").

B. Jones is the owner of that lot or parcel of land located on the east side of Cowenton Avenue containing approximately 8.00 acres of land and shown as Parcel 1000 on Tax Map No. 72 of the State Department of Assessments and Taxation Tax Maps for Baltimore County ("Jones' Property", together with the Meadows' Property, the "Owners' Property"). Developer is the contract purchaser of Owners' Property.

C. Myers are the owners of that lot or parcel of land located south of Owners' Property, containing approximately 20.292 acres of land and shown as Parcel 64 on Tax Map No. 72 of the State Department of Assessments and Taxation Tax Maps for Baltimore County ("Myers' Property"). Myers' Property is adjacent to Owners' Property.

D. Norbert is the owner of those lots or parcels of land located on Joppa Road south of Owners' Property, containing in the aggregate approximately 1.26 acres of land and shown as

Parcel 1142 on Tax Map No. 72 of the State Department of Assessments and Taxation Tax Maps for Baltimore County ("Norbert's Property", together with Myers' Property, the "Adjacent Owners' Property"). PHM is the contract purchaser of Adjacent Owners' Property.

E. Owners and Developer have obtained Development Plan approval for Owners' Property in Case Nos. XI-728 and 02-376-A by a Hearing Officer's Opinion and Development Plan Order dated April 29, 2002 ("Order") for the development known as Moores Meadows. Said Development Plan, as amended in accordance with the Order on Motion for Reconsideration and this Agreement, is entitled "Moore's Meadows Development Plan and Schematic Landscape Plan and Plat to Accompany Petition for Variances", dated February 8, 2002, as amended from time to time prior to the date hereof, signed by Walter T. Smith, Project Manager on September 24, 2002 and referred to herein as the "Development Plan".

F. Lena Myers, one of the parties hereto, filed a Motion for Reconsideration before the Hearing Officer of Baltimore County requesting certain amendments to the approved Development Plan and Order, which was decided by Order on Motion for Reconsideration dated September 11, 2002.

G. Owners, Developer, PHM, and the Adjacent Owners would like to resolve all issues between and among them arising out of the subdivision and development of the Owners' Property and the Adjacent Owners' Property.

WITNESSETH

In consideration of the mutual agreements and obligations contained herein, the actual monetary consideration being Zero Dollars ($0.00), the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Grant of Limited Easement**.

a. Owners and Developer, on behalf of themselves and their respective successors, heirs and assigns, hereby grant unto Adjacent Owners and PHM and their respective successors, heirs and assigns, a Limited Easement (the "Limited Easement"), subject to all conditions set forth within this Agreement, over and through those portions of Owners' Property as are shown, depicted and designated as "Feeder Road" and "Road" (the road leading to the Adjacent Owners' Property) on Exhibit A, which is attached hereto and incorporated herein, for vehicular ingress, egress and access from, to and between (i) Adjacent Owners' Property, (ii) Cowenton Avenue, and (iii) Joppa Road ("Limited Easement Area").

b. The right to use the Limited Easement Area for the purpose set forth herein shall commence when the stone base has been installed over the Limited Easement Area and shall automatically terminate and be of no further force or effect without any other or further action being required by any party hereto on the date on which Baltimore County, Maryland accepts fee simple title to the beds of said Feeder Road and Road, at which time, the parties hereto and their respective successors, heirs and assigns shall have such access by virtue of the Feeder Road and the Road being public roads. Notwithstanding the foregoing, the parties hereto agree that, upon the termination of the easement as provided herein, they shall execute and record among the Land Records of Baltimore County a Deed of Extinguishment of the Limited Easement in substantially the same form contained in Exhibit B, which is attached hereto and incorporated herein.

c. Notwithstanding the foregoing, Adjacent Owners and PHM agree, on behalf of themselves, their respective successors, heirs and assigns, not to use or suffer the use of the Limited Easement Area by them, or anyone claiming by or through them, until such time as Developer completes the installation of a stone base on the Feeder Road and the Road (which

will be installed simultaneously), at which time Adjacent Owners and PHM shall be entitled to use the Limited Easement for the purpose of vehicular ingress, egress and access, within the Limited Easement Area, without any other or further action being required by any party hereto, except for the following obligations of Adjacent Owners (if they have an ownership interest in the Adjacent Owners' Property) and PHM to the extent that the same have accrued as of the date on which their right of use shall commence:

Paragraph	Obligation
1.e	PHM's obligation to deliver security to Residential Title & Escrow Company
2.	Adjacent Owners confirming their obligation to indemnify and save harmless Owners and Developer
3.	PHM (i) confirming its obligation to indemnify and save harmless Owners and Developer, (ii) procuring and maintaining a certificate of insurance; and (iii) authorizing and instructing its engineers to cooperate with Developer's engineers
5.	Adjacent Owners and PHM confirming their obligation to support and not oppose and not to appeal Developer's projects described therein.

d. No construction equipment or construction traffic shall be permitted within the Limited Easement Area by Adjacent Owners, PHM or anyone claiming by or through them until such time as Baltimore County accepts fee simple title to the beds of the Feeder Road and the Road.

e. Adjacent Owners and PHM agree to maintain dust and mud controls and repair any damage to the Limited Easement Area caused in connection with the development of the Adjacent Owners' Property. Prior to using or permitting use of the Limited Easement by anyone claiming by or through Adjacent Owners and/or PHM, Adjacent Owners and/or PHM agree to deliver to Residential Title & Escrow Company security for the performance of Adjacent Owners' and PHM's maintenance and repair obligations under this Paragraph 1.e. Said security shall be either cash or an irrevocable letter of credit in the amount of Twenty-Five Thousand

Dollars ($25,000.00) drawn on a federally-insured financial institution with offices in the Baltimore metropolitan area.

If Developer reasonably believes that Adjacent Owners and/or PHM are responsible for the maintenance and/or repair of dust and mud controls and/or repairing damage to the Limited Easement Area, Developer shall send Adjacent Owners and PHM written notice demanding that Adjacent Owners and/or PHM maintain and/or repair such controls and/or repair such damage. Developer's notice shall include a description of the grounds for Developer's reasonable belief and an estimate of the cost of the maintenance and/or repair. If Adjacent Owners and/or PHM fail or refuse to satisfy the maintenance and/or repair obligations within five (5) business days after receiving notice from Developer, then Developer shall have the right to maintain such controls and/or make such repairs and be reimbursed from the security in an amount equal to the actual costs of maintenance and/or repair. In the event the security shall be insufficient to reimburse Developer, and the Adjacent Owners and/or PHM fail or refuse to satisfy Developer's reimbursement request within five (5) business days after receiving notice from Developer, then Developer shall have the right to pursue all remedies, whether at law or in equity, against Adjacent Owners and/or PHM. If Developer pursues such remedies, the party not prevailing in such action shall reimburse the prevailing party for the reasonable expenses of attorney's fees and all costs and disbursements incurred therein by the prevailing party.

f. Owners and Developer agree not to obstruct, impede or otherwise hinder, directly or indirectly, PHM, Adjacent Owners or their employees, contractors, subcontractors, agents, successors or assigns from exercising their rights under this Limited Easement.

g. Developer will authorize and instruct its engineers to cooperate with PHM's engineers to coordinate the design, elevations and construction of the Road and the underlying utilities to that point where they intersect with the boundary of the Myers' Property.

h. Developer agrees that when the Feeder Road and the Road are constructed, they will be constructed simultaneously and that when they are offered to Baltimore County for dedication, they will be offered simultaneously.

2. **Adjacent Owners' Other Obligations**.

a. Adjacent Owners agree to indemnify and save harmless Owners and Developer against all liability, including liability resulting from death or injury to person or property caused by any act or omission of Adjacent Owners, or of agents or employees of Adjacent Owners.

3. **PHM's Other Obligations**.

a. PHM agrees to indemnify and save harmless Owners and Developer against all liability, including liability resulting from death or injury to person or property caused by any act or omission of PHM, or of agents or employees of PHM.

b. At its sole cost and expense, PHM shall procure and maintain for the term of this Agreement (commencing on use of the Limited Easement Area by Adjacent Owners, PHM, and/or their respective agents, employees, heirs, assigns, or invitees and terminating on the expiration of the Limited Easement), Commercial General Liability Insurance in an amount of not less than Two Million and 00/100 Dollars ($2,000,000) combined single limit per occurrence. PHM's insurer shall have an A.M. Best's rating of A:VII, or if not rated with Best, an insurer with minimum surpluses the equivalent of Best's size VII, and licensed/approved to do business in the State of Maryland. The insurance shall protect Owners and Developer against any and all claims for injuries to persons, including death, as well as from claims for damages to

any property of the Owners which may arise from, or be in connection with PHM's use and occupancy of the Owners' and/or Developer's property, identified herein as the development known as Moores Meadows, pursuant to this Agreement. Such insurance shall name the Owners and Developer as additional insured. The insurance policy shall state that coverage shall not be suspended, voided, canceled, reduced in coverage or in limits until after forty-five (45) days prior written notice by certified mail, return receipt requested, given to Owners and Developer. Prior to using or permitting use of the Limited Easement by anyone claiming by or through PHM, PHM shall furnish the Developer with a Certificate of Insurance and with a copy of the additional insured endorsement affecting coverage required by this Agreement.

c. PHM will authorize and instruct its engineers to cooperate with Developer's engineers to coordinate the design, elevations and construction of the Road and the underlying utilities to that point where they intersect with the boundary of the Myers' Property.

4. **Developer's and Owners' Other Obligations**. Developer and Owners agree not to (i) make or allow any future amendments of the Development Plan or the zoning relief requested in connection therewith which are inconsistent with the location of the Road shown on a portion of the Development Plan attached hereto and incorporated herein as Exhibit C or (ii) file or allow to be filed a record plat which are inconsistent with the location of the Road shown on a portion of the Development Plan attached hereto and incorporated herein as Exhibit C.

5. **No Appeals**. Each party hereby agrees (i) to support and not to oppose the subdivision and development of the Owners' Property, the Adjacent Owners' Property and the Myers' Property and (ii) not to appeal or move for a reconsideration of and not to cause any appeal or any motion for reconsideration to be filed in connection with the Order, the Order on Motion for Reconsideration or any other such orders made in connection with the subdivision and/or

development of the Owners' Property, the Adjacent Owners' Property or the Myers' Property, as the same currently exist and as they may be expanded or phased for future subdivision and/or development, including but not limited to the Moore's Meadows II and Parkside projects (by Developer) and Honeybrook Farm and Honeygo Springs (by PHM).

6. **Miscellaneous Provisions**.

a. This Agreement shall bind the parties hereto, their successors, heirs and assigns.

b. This Agreement shall be governed by the laws of the State of Maryland, without regard to conflicts of laws.

c. The parties have all rights, in law and/or equity to enforce this Agreement.

d. This Agreement contains all of the terms and conditions of this Agreement and cannot be modified, except by written agreement of the parties.

e. Each person who signs this Agreement represents and warrants to each other party hereto that he/she has full right, power and authority to enter into and carry out the provisions of this Agreement and that no further consents or approvals are required to make this Agreement the binding obligation of the party on whose behalf each person signs this Agreement.

f. The parties hereto expressly disclaim any partnership, joint venture or similar relationship or arrangement.

g. This Agreement may be signed in any number of counterparts, each of which shall be deemed an original, and all of which, when taken together, shall constitute one and the same instrument.

h. Time is of the essence with respect to this Agreement and the performance of the parties' obligations hereunder.

b. This Agreement shall be governed by the laws of the State of Maryland, without regard to conflicts of laws.

c. The parties have all rights, in law and/or equity to enforce this Agreement.

d. This Agreement contains all of the terms and conditions of this Agreement and cannot be modified, except by written agreement of the parties.

e. Each person who signs this Agreement represents and warrants to each other party hereto that he/she has full right, power and authority to enter into and carry out the provisions of this Agreement and that no further consents or approvals are required to make this Agreement the binding obligation of the party on whose behalf each person signs this Agreement.

f. The parties hereto expressly disclaim any partnership, joint venture or similar relationship or arrangement.

g. This Agreement may be signed in any number of counterparts, each of which shall be deemed an original, and all of which, when taken together, shall constitute one and the same instrument.

h. Time is of the essence with respect to this Agreement and the performance of the parties' obligations hereunder.

i. If the rule against perpetuities or any other rule of law would invalidate this Agreement or any portion hereof or would limit the time during which this Agreement or any portion hereof shall be effective due to the potential failure of an interest in property created herein to vest within a particular time, then each such interest in property shall be effective only from the date of this Agreement until the twentieth (20^{th}) anniversary of such date, provided that each such interest in property shall be extinguished at such time.

WHEREFORE, the parties execute this Agreement as of the day and year first above written.

WITNESS:

JOPPA ROAD EAST, LLC

By: _____ (SEAL)
Douglas F. Eshelman, Member

{Signatures continue on following page.}

WITNESS:

_____

_____

_____(SEAL)
David M. Meadows

_____(SEAL)
Sharon E. Meadows

_____

_____(SEAL)
Roy E. Jones

WITNESS:

_____

PERRY HALL MEADOWS, LLC

By:_____(SEAL)
Ronald O. Schaftel, Member

WITNESS:

_____

_____(SEAL)
Lena Myers

_____

_____(SEAL)
Frederick G. Myers

_____

_____(SEAL)
Patricia Dircks

_____

_____(SEAL)
Eugene S. Myers

_____

_____(SEAL)
Norbert D. Myers

{Notary Acknowledgements follow.}

STATE OF MARYLAND, ~~CITY~~/COUNTY OF BALTIMORE :

I HEREBY CERTIFY that on this 30TH day of OCTOBER, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared DOUGLAS F. ESHELMAN, as a Member of JOPPA ROAD EAST, LLC, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is the voluntary act and deed of said limited liability company and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: 11/1/03

KRISTINA M. LOVELAND NOTARY PUBLIC BALTIMORE CO., MD.

STATE OF MARYLAND, ~~CITY~~/COUNTY OF BALTIMORE :

I HEREBY CERTIFY that on this 31ST day of OCTOBER, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared DAVID M. MEADOWS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is his voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: HEATHER GRAMMER NOTARY PUBLIC STATE OF MARYLAND ~~My Commission Expires November 9, 2005~~

STATE OF MARYLAND, ~~CITY~~/COUNTY OF BALTIMORE :

I HEREBY CERTIFY that on this 31ST day of OCTOBER, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared SHARON E. MEADOWS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is her voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: HEATHER GRAMMER NOTARY PUBLIC STATE OF MARYLAND ~~My Commission Expires November 9, 2005~~

WITNESS:

_____ _____(SEAL)
David M. Meadows

_____ _____(SEAL)
Sharon E. Meadows

_____ _____(SEAL)
Roy E. Jones

WITNESS:

PERRY HALL MEADOWS, LLC

_____ By:_____(SEAL)
Ronald O. Schaftel, Member

WITNESS:

_____ _____(SEAL)
Lena Myers

_____ _____(SEAL)
Frederick G. Myers

_____ _____(SEAL)
Patricia Dircks

_____ _____(SEAL)
Eugene S. Myers

_____ _____(SEAL)
Norbert D. Myers

{Notary Acknowledgements follow.}

STATE OF South Carolina, CITY/COUNTY OF Horry:

I HEREBY CERTIFY that on this 31st day of October, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared ROY E. JONES, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is his voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

Dominique J. Vereen
Notary Public

My Commission Expires August 25, 2008.
My Commission Expires:_____

STATE OF MARYLAND, CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this _____ day of _____, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared RONALD O. SCHAFTEL, as a Member of PERRY HALL MEADOWS, LLC, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is the voluntary act and deed of said limited liability company and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission Expires:_____

STATE OF MARYLAND, CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this _____ day of _____, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared LENA MYERS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is her voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission Expires:_____

i. If the rule against perpetuities or any other rule of law would invalidate this Agreement or any portion hereof or would limit the time during which this Agreement or any portion hereof shall be effective due to the potential failure of an interest in property created herein to vest within a particular time, then each such interest in property shall be effective only from the date of this Agreement until the twentieth (20^{th}) anniversary of such date, provided that each such interest in property shall be extinguished at such time.

WHEREFORE, the parties execute this Agreement as of the day and year first above written.

WITNESS:

JOPPA ROAD EAST, LLC

_____

By:_____(SEAL)
Douglas F. Eshelman, Member

WITNESS:

_____

_____(SEAL)
David M. Meadows

_____

_____(SEAL)
Sharon E. Meadows

_____

_____(SEAL)
Roy E. Jones

WITNESS:

PERRY HALL MEADOWS, LLC

_____

By:_____(SEAL)
Ronald O. Schaftel, Member

WITNESS:

_____ _____ Lena Myers (SEAL)
Lena Myers

_____ _____ (SEAL)
Frederick G. Myers

WITNESS:

_____ _____ Patricia E. Dircks (SEAL)
Patricia Dircks

_____ _____ (SEAL)
Eugene S. Myers

_____ _____ (SEAL)
Norbert D. Myers

{Notary Acknowledgements follow.}

STATE OF _____, CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this _____ day of _____, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared ROY E. JONES, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is his voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission Expires: _____

STATE OF MARYLAND, ~~CITY~~/COUNTY OF HARFORD:

I HEREBY CERTIFY that on this 30th day of OCTOBER, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared RONALD O. SCHAFTEL, as a Member of PERRY HALL MEADOWS, LLC, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is the voluntary act and deed of said limited liability company and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

MARIE T. FAZENBAKER NOTARY PUBLIC HARFORD COUNTY, MD.

Marie T. Fazenbaker
Notary Public

My Commission Expires: 7-01-06

STATE OF MARYLAND, ~~CITY~~/COUNTY OF HARFORD:

I HEREBY CERTIFY that on this 30th day of October, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared LENA MYERS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is her voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

MARIE T. FAZENBAKER NOTARY PUBLIC HARFORD COUNTY, MD.

Marie T. Fazenbaker
Notary Public

My Commission Expires: 7-01-06

STATE OF MARYLAND, ~~CITY~~/COUNTY OF HARFORD :

I HEREBY CERTIFY that on this 3RD day of NOVEMBER, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared FREDERICK G. MYERS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is his voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

MARIE T. FAZENBAKER NOTARY PUBLIC HARFORD COUNTY, MD.

Marie T. Fazenbaker
Notary Public

My Commission Expires: 7-01-06

STATE OF MARYLAND, ~~CITY~~/COUNTY OF HARFORD :

I HEREBY CERTIFY that on this 3RD day of NOVEMBER, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared PATRICIA DIRCKS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is her voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

MARIE T. FAZENBAKER NOTARY PUBLIC HARFORD COUNTY, MD.

Marie T. Fazenbaker
Notary Public

My Commission Expires: 7-01-06

STATE OF MARYLAND, ~~CITY~~/COUNTY OF HARFORD :

I HEREBY CERTIFY that on this 3RD day of November, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared EUGENE S. MYERS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is his voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

MARIE T. FAZENBAKER NOTARY PUBLIC HARFORD COUNTY, MD.

Marie T. Fazenbaker
Notary Public

My Commission Expires: 7-01-06

STATE OF MARYLAND, ~~CITY~~/COUNTY OF Baltimore :

I HEREBY CERTIFY that on this 7 day of November, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared NORBERT D. MYERS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is his voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: 5/1/6

ATTORNEY CERTIFICATION

I HEREBY CERTIFY that the foregoing Agreement was prepared by or under the supervision of an attorney licensed to practice in the State of Maryland.

J. Carroll Holzer

AFTER RECORDING,
PLEASE RETURN TO:

J. Carroll Holzer, Esquire
Holzer & Lee
508 Fairmount Avenue
Towson, Maryland 21286
410-825-6961

G:\files\Rdp.gen\2178d.02.doc

EXHIBIT A

Description of Limited Easement Area

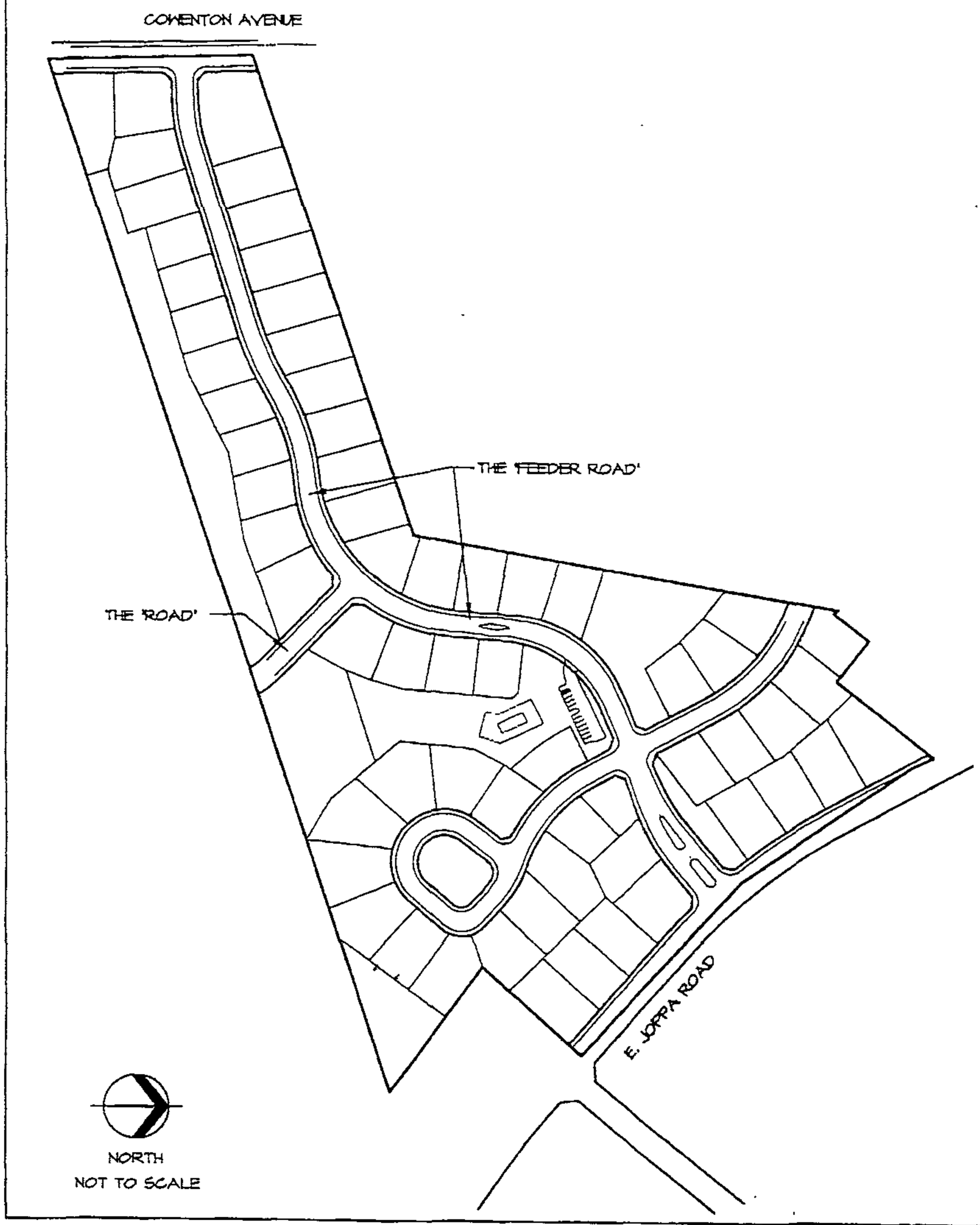


EXHIBIT 'A'
(Proposed Moores Meadows Development)

D.S. THALER & ASSOC., INC.
TIIO AMBASSADOR RD., P.O. BOX 14725, BALTIMORE, MD 21214-4128
PHONE: 410-944-ENGR FAX: 410-944-3684 E-MAIL: dsta@erols.com

NOVEMBER 2002

EXHIBIT B

Form of Deed of Extinguishment

DEED OF EXTINGUISHMENT

THIS DEED OF EXTINGUISHMENT is made this _____ day of _____, 200___, by and among JOPPA ROAD EAST, LLC ("Developer"); and DAVID M. MEADOWS and SHARON E. MEADOWS ("Meadows"); and ROY E. JONES ("Jones", and with Meadows, the "Owners"); and PERRY HALL MEADOWS, LLC ("PHM"); and LENA MYERS, FREDERICK G. MYERS, PATRICIA DIRCKS, EUGENE S. MYERS and NORBERT D. MYERS (collectively, "Myers") and NORBERT D. MYERS ("Norbert", and with Myers, the "Adjacent Owners").

WHEREAS, Developer and Owners granted a Limited Easement over and through a portion of the real property owned by Owners, as more particularly identified and shown on Exhibit 1, which is attached hereto and incorporated herein (hereinafter referred to as the "Limited Easement" to PHM and Adjacent Owners pursuant to a certain Agreement (the "Agreement") dated the _____ day of October, 2002, and recorded among the Land Records of Baltimore County, Maryland in Liber _____, No. _____, folio _____; and

WHEREAS, pursuant to the Agreement, the Limited Easement is terminated and as a result the parties to this Deed of Extinguishment have agreed that the Limited Easement be abandoned and extinguished, and as such, the parties to this Deed of Extinguishment are executing this instrument for that purpose.

NOW THEREFORE, FOR AND IN CONSIDERATION of the mutual entry into this Deed of Extinguishment and for other good and valuable consideration, the actual consideration being Five Dollars ($5.00), the receipt and sufficiency of which are hereby acknowledged by each party hereto, PHM and the Adjacent Owners hereby release, quitclaim and abandon unto Developer and Owners the Limited Easement shown on Exhibit 1 hereto and any and all interests of any kind whatsoever in the real property of Developer and Owners, all as more particularly described in the Agreement, to the end and intent of forever extinguishing the Limited Easement as if it had never been created and granted unto Adjacent Owners and PHM.

{This space is intentionally left blank.}

WITNESS the hands and seals of the parties hereto as of the day and year first above written.

WITNESS:

JOPPA ROAD EAST, LLC

_____

By: _____(SEAL)
Douglas F. Eshelman, Member

WITNESS:

_____

_____(SEAL)
David M. Meadows

_____

_____(SEAL)
Sharon E. Meadows

_____

_____(SEAL)
Roy E. Jones

{Signatures continue on following page.}

WITNESS:

PERRY HALL MEADOWS, LLC

_____ By:_____(SEAL)
Ronald O. Schaftel, Member

WITNESS:

_____ _____(SEAL)
Lena Myers

_____ _____(SEAL)
Frederick G. Myers

_____ _____(SEAL)
Patricia Dircks

_____ _____(SEAL)
Eugene S. Myers

_____ _____(SEAL)
Norbert D. Myers

Norbert D. Myers

{Notary Acknowledgements follow.}

G:\files.Rdp.gen.2178d.02.doc

STATE OF MARYLAND, CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this _____ day of _____, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared DOUGLAS F. ESHELMAN, as a Member of JOPPA ROAD EAST, LLC, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is the voluntary act and deed of said limited liability company and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission Expires:_____

STATE OF MARYLAND, CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this _____ day of _____, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared DAVID M. MEADOWS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is his voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission Expires:_____

STATE OF MARYLAND, CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this _____ day of _____, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared SHARON E. MEADOWS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is her voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission Expires:_____

STATE OF _____, CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this _____ day of _____, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared ROY E. JONES, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is his voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission Expires:_____

STATE OF MARYLAND, CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this _____ day of _____, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared RONALD O. SCHAFTEL, as a Member of PERRY HALL MEADOWS, LLC, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is the voluntary act and deed of said limited liability company and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission Expires:_____

STATE OF MARYLAND, CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this _____ day of _____, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared LENA MYERS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is her voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission Expires:_____

STATE OF MARYLAND, CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this _____ day of _____, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared FREDERICK G. MYERS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is his voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission Expires:_____

STATE OF MARYLAND, CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this _____ day of _____, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared PATRICIA DIRCKS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is her voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission Expires:_____

STATE OF MARYLAND, CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this _____ day of _____, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared EUGENE S. MYERS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is his voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission Expires:_____

STATE OF MARYLAND, CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this _____ day of _____, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared FREDERICK G. MYERS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is his voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission Expires:_____

STATE OF MARYLAND, CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this _____ day of _____, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared PATRICIA DIRCKS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is her voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission Expires:_____

STATE OF MARYLAND, CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this _____ day of _____, 2002, before, me, the subscriber, a Notary Public of the State and Subdivision aforesaid, personally appeared EUGENE S. MYERS, named in the foregoing Agreement, who made oath in due form of law that the foregoing Agreement is his voluntary act and deed and that the matters and facts set forth therein are true and correct.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission Expires:_____

EXHIBIT C

Portion of Development Plan

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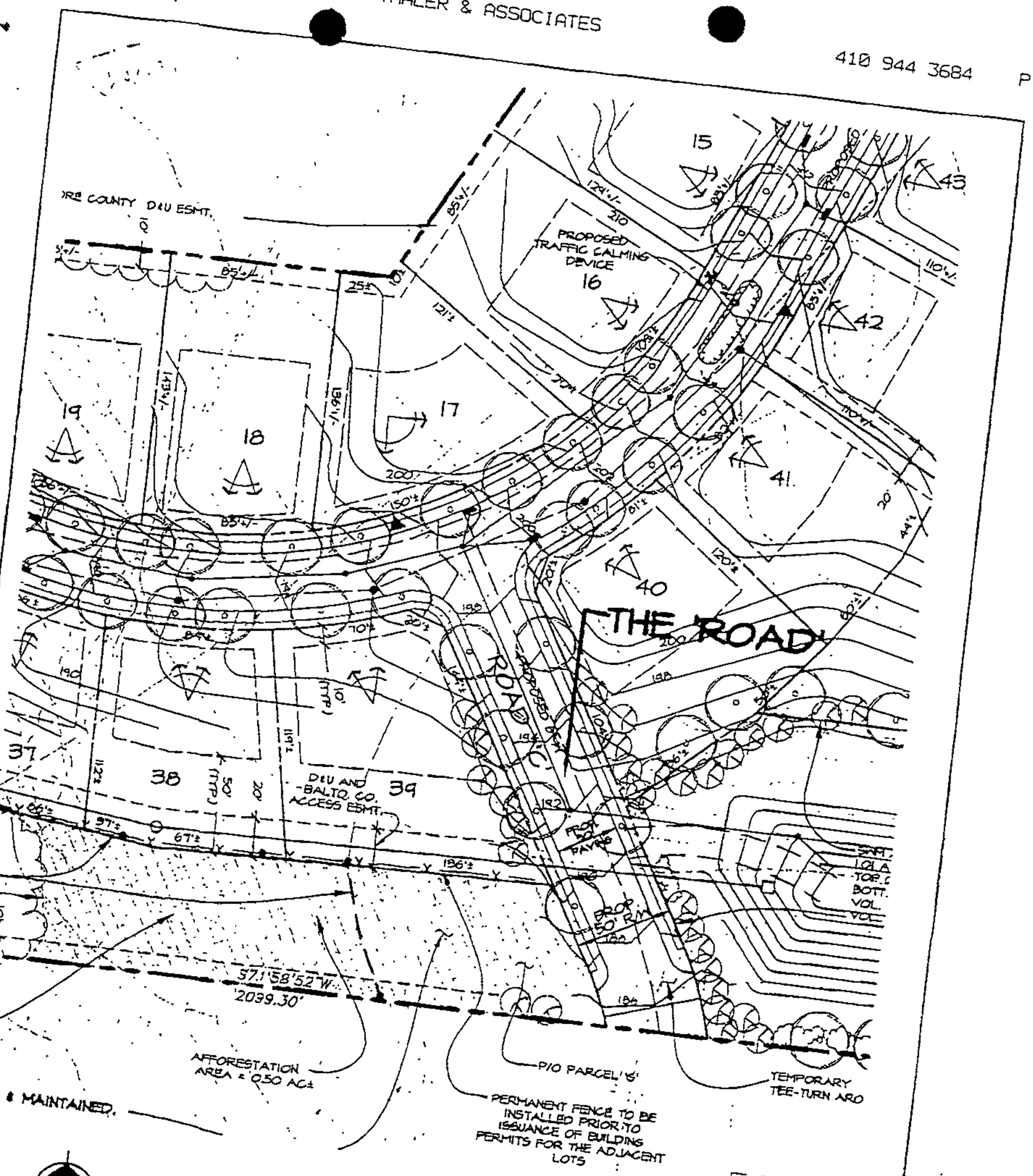

D.R. 35

EXHIBIT 'C'

(Moores Meadows extracted from the approved Development Plan)

D.S. THALER & ASSOC., INC.
119 AMBASSADOR RD., P.O. BOX 74728, BALTIMORE, MD 21244-4728
PHONE: 410-444-ENGR FAX: 410-444-3004 E-MAIL: dstaa@erols.com

NOVEMBER

Baltimore County
Department of Permits and
Development Management

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

March 29, 2002

Ms. Jeffiner R. Busse
Whiteford Taylor & Preston
210 W Pennsylvania Avenue
4th Floor
Towson MD 21204

Dear Ms. Busse:

RE: Case Number: 02-376-A, 5225 E Joppa Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 08, 2002.

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: Mr. & Mrs. David M. Meadows, 5225 E Joppa Road, Berry Hall 21128
Mr. Roy E. Jones, P O Box 2963, Conway SC 29528
E. Joppa Road, LLC, Mr. Douglas F. Eshelman, Member, 7115 Ambassador Road, Baltimore 21224
People's Counsel

Baltimore County
Fire Department

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

March 18, 2002

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

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 18, 2002

Item No.: 360-366, 368, 370-~~377~~ 376

Dear Ms. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Marshal's Office has no comments at this time.

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

cc: File

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3.19.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 376 JLL ¢ J

Dear. Mr. Zahner:

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

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

Very truly yours,

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

My telephone number is _____

75

Baltimore County
Fire Department

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

February 27, 2002

TO: WALT SMITH, PDM, MAIL STOP-1301

FROM: LIEUTENANT JIMMIE MEZICK
BALTIMORE COUNTY FIRE MARSHAL OFFICE
MAIL STOP-1102F, PHONE (410) 887-4881

SUBJECT: SUBDIVISION REVIEW COMMENTS

PROJECT NAME: MOORE'S MEADOWS

PROJECT NUMBER: 11-728

LOCATION: SW/S JOPPA RD E COWENTON AV.

DISTRICT: C5

COMMENTS:

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME.

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: Todd G. Taylor TGT/RBS

DATE: April 25, 2002

SUBJECT: Zoning Item 376
Address 5225 East Joppa Road

Zoning Advisory Committee Meeting of March 18, 2002

____ 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).

____ Additional Comments:

Reviewer: Glen Schaffer Date: 4/25/02

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 17, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
for *March 25, 2002*
Item Nos. 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 375, 376 and 377

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

RWB:CEN:cab

cc: File

ZAC-3-25-2002-NO COMMENT ITEMS-04172002.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

DATE: March 12, 2002

TO: Walt Smith

FROM: Janice M. Kemp
House Numbers and Road Names Section

SUBJECT: Moore's Meadows Development Plan
PDM No. XI-728

1. Please provide us with two road names to be submitted to USPS for approval.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: March 12, 2002

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

FROM: William A. Miner, Review Appraiser
PDM, Bureau of Land Acquisition

SUBJECT: Moore's Meadows
PDM # 11-728
SW/S Joppa Rd. E Cowenton Ave.
District: 11c5

A review of the Development plan for the above referenced project results in the following comments. These comments are advisory in nature and should be utilized in the preparation of a "package" for the acquisition of rights of way required for this project.

1. Offsite rights of way must be acquired prior to record plat approval.

2. Access easements, approved by DEPRM, should be shown for any storm water management facilities, forest buffers, etc.

3. If offsite sight line easements are necessary per Development Plan Review's comments, the developer will be required to obtain these easements prior to record plat approval.

4. On the development plan, please identify and label all existing and proposed drainage and utility easements, highway widenings and slope easements, greenways and open space areas. Please clearly indicate whether or not the above are to be dedicated to Baltimore County. Please delineate and label required dedications for highway purposes as "Highway Widening Area," and not as "Future" regardless of whether or not highway improvements will actually be required as part of the development.

5. Additional site specific comments:

   a. Delineate a Storm Water Access Easement to the Storm Water Management Area.

   b. Indicate if the roads are to be public or private. If the roads are to be public make a note on the plan that the roads are to be dedicated to Baltimore County at no cost to the County.

   c. Clearly delineate the existing rights of way of Cowenton Avenue and Joppa Road and label each with deed references; plat numbers and/or RW numbers as applicable.

   d. With arrows, clearly delineate and label a Baltimore County Forest Buffer Access Easement to the Forest Buffer, acceptable to DEPRM.

6. Comments generated by meeting

Moore'sMeadows.cm
WAM:wam

RE: PETITION FOR VARIANCE 5225 E. Joppa Road, SW/S E. Joppa Rd, 43' NW of Peach Blossom Rd 11th Election District, 5th Councilmanic	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	FOR
Legal Owner: Roy E. Jones, David M. & Sharon E. Meadows Contract Purchaser: E. Joppa Road LLC Petitioner(s)	*	BALTIMORE COUNTY
	*	Case No. 02-376-A

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

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 27th day of March, 2002 a copy of the foregoing Entry of Appearance was mailed to Jennifer R. Busse, Esq., Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Suite 400, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN

Baltimore County Government
Department of Permits and Development Management

111 West Chesapeake Avenue
Towson MD 21204

(410) 887-3321
(410) 887-2877 (fax)

October 21, 2002

G. Scott Barhight, Esq.
Whiteford Taylor & Preston, L.L.P.
210 W. Pennsylvania Avenue
Towson, MD 21204-4515

RE: Appeal of Hearing Officer's Opinion & Order
SW/S Joppa Road, E Cowenton Avenue
Moore's Meadows
District: 11 c 5
E. Joppa Road LLC- Applicant
PDM # XI-728

Dear Mr. Barhight:

Please be advised that an appeal of the above-referenced case was filed in this office on October 11, 2002 by J. Carroll Holzer, Holzer and Lee, on behalf of Lena Myers. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to contact the Board at (410) 887-3180.

Sincerely,

Arnold Jablon
Director

RECEIVED
OCT 21 2002
BALTIMORE COUNTY
BOARD OF APPEALS

AJ:kw

c: D.S. Thaler & Associates, Inc.
J. Carroll Holzer, Esq.
Robert A. Hoffman, Esq.
Gerald M. Katz, Esq.
People's Counsel
Baltimore County Board of Appeals
File

CBA-02-150

Copies To:

G. Scott Barhight, Esq.
Whiteford, Taylor & Preston, L.L.P.
210 W. Pennsylvania Ave.
Towson, MD 21204-4515

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Holzer and Lee
508 Fairmount Ave.
Towson, MD 21286

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

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Towson, MD 21204

Alan Scoll
Ernest Sheppe
David Thaler
D.S. Thaler & Associates, Inc.
7115 Ambassador Road
Baltimore, MD 21244-7428

Mickey Cornelius
The Traffic Group
9900 Franklin Square Drive
Ste. H
Baltimore, MD 21235

Mr. Jim Rawle
4218 Wickford Road
Baltimore, MD 21210

Jeanette Poletynski
5024 Hornago Avenue
Perry Hall, MD 21128

John Miller
9116 Cowenton Avenue
Perry Hall, MD 21128

Fred & Fran Myers
5323 E. Joppa Road
Perry Hall, MD 21128

Nancy Briscoe
9018 Cowenton Avenue
Perry Hall, MD 21128

William Libercci
19 Shawn Court
Baltimore, MD 21236

Dennis Eckard
39 Bangert Avenue
Perry Hall, MD 21128

APPEAL

Petition for Variance
5225 E. Joppa Road
SW/s of E. Joppa Road, 43 feet NW of Peach Blossom Blvd.
11th Election District – 5th Councilmanic District
Legal Owner – Roy Jones, David M. and Sharon E. Meadows
Contract Purchaser – E. Joppa Road, LLC
Case No.: 02-376

Petition for Variance (dated 02-376-A)

Zoning Description of Property

Notice of Zoning Hearing (March 18, 2002

Certification of Publication (The Jeffersonian issue – March 21, 2002)

Certificate of Posting (March 19, 2002 posted by Stacy Gardner)

Entry of Appearance by People's Counsel (March 27, 2002)

Petitioner(s) Sign-In Sheet (None)

Protestant(s) Sign-In Sheet (None)

Citizen(s) Sign-In Sheet (None)

Zoning Advisory Committee Comments

Petitioners' Exhibits:
None

Protestants' Exhibits:
None

Miscellaneous (Not Marked as Exhibits):
Plat to accompany Petition for Variance

Deputy Zoning Commissioner's (April 29, 2002 – APPROVED subject to the following conditions and restrictions)

Notice of Appeal received on October 11, 2002 from J. Carroll Holzer on behalf of Lena Myers.

c: People's Counsel of Baltimore County, MS #2010
Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM
J. Carroll Holzer, Esquire

date sent October 18, 2002 rlh

~~B~~ JA
Intake Planner

2/27/02

PLANNER REVIEWER. FROM J.L. I STARTED SOME COMMENTS BUT YOU NEED TO COMPLETE CHECK OFF. SINCE YOU ARE D.P. RVWR. AND HAD ORIGINAL ZONING HEARING-FILING-APPT.

2/14/02 ~~JA~~
Date Assigned DSK 2/25/02

DROP-OFF PETITIONS PROCESSING CHECK-OFF

NO ☐ **Two Questions Answered on Cover Sheet:**
Any previous reviews in the zoning office?
Any current building or zoning violations on site?

☐ **Petition Form Matches Plat in these areas:**
Address NOT ON PLAN ON WAY IN.
Zoning OK
Legal Owner(s) LLC MISSING PO BOX # ON PLAN BUT NOT PET.
Contract Purchaser(s) LLC LISTED AS APPLICANT ON PLAN CONTRACT PUR. ON PET
Request (if listed on plat) DEVIATION?

☐ **Petition Form (must be current PDM form) is Complete:**
Request:
Section Numbers
Correct Wording (must relate to the code, especially floodplain and historical standard wording. Variances must include the request in lieu of the required code quantities.
Hardship/Practical Difficulty Reasons
Legal Owner/Contract Purchaser: OK
Signatures (originals) OK
Printed/Typed Name and Title (if company) OK
Attorney (if incorporated) OK
Signature/Address/Telephone Number of Attorney OK

☐ **Correct Number of Petition Forms, Descriptions and Plats**

☐ **200 Scale Zoning Map**

☐ **Check:** Amount Correct? Signed?

☐ **ZAC Plat Information:**
✓ Location (by Carl) SW/S E. Joppa Rd ~~Between~~ approximately 1500 ft. NW I-95
Zoning: _____ Acreage: _____ Previous Hearing Listed With Decision
Election District ____ Councilmanic District ____ Case # _____
Check to See if the Subject Site or Request is:
CBCA
Floodplain
Elderly
Historical
Pawn Shop
Helicopter
*If Yes, Print Special Handling Category Here
*If No, Print No

_____ Item Number Assigned

_____ Date Accepted for Filing 07

CHECK DESCRIPTION FOR ACCURACY
MAKE SURE AREA IS THE SAME AS
PLAN & DESCRIPTION.

SEAL
WHEN F.D.P. IS REVIEWED.

Review Notes For
Moore Meadow Variance
Hearing Application

1. Add address to plan.

2. Legal Owners: ? LLC- missing P. O. Box (on the plan but not on the petition).

3. Contract Purchaser: LLC listed as owner applicant on plan (please make consistent Contract Purchaser on petition.)

4. Request For Deviation: in addition to 260.4B, it looks like 260.4.A-1 and 4 apply. DO NOT NEED TO COMPLY.

Be specific in your request from what are your asking to deviate and why (i.e. "Best Possible Development Design").

5. Adjust lot #57 setbacks on plan to comply with request (i.e. West setback scales at 10 feet instead of 15 feet).

6. Note Lot #57 can comply with zoning regulations, if facing Court "A".
So what is hardship or practical difficulty?

7. Note on typical lot layout. Show rear load garage detail or get rid of note.

8. Show front yard garage detail per Reg. 259.9.C.3 a & b.

9. Change note on the block of plan to show that ~~South~~ East Joppa Road LLC is contract purchaser.

10. Area: Property References (general note #5) add up to 29.09 acres. But note # 6 indicate the Net and Gross area to be 28.14 acres. Account for the .95 acre difference. (are gross and net difference)? OK.

11. Note on vicinity Map, location of Peach Blossom Road which is referenced on the description as P.O.B.

12. Attorney's phone # should be 832-2077.

02-576-A

CONCEPT PLAN CONFERENCE

MOORE'S MEADOWS
EAST JOPPA RD. & COWENTON AVE.
Project ID #: A011321
July 23, 2001 @10:00 AM

GRADING, EROSION & SEDIMENT CONTROL COMMENTS:

NOTE: Comments are advisory in nature and may not be applicable to this project. More specific comments will be provided with review of the Development Plan.

1. Grading Requirements & Sediment Control Guidelines:

   A. The developer is responsible to address the grading requirements of Baltimore County Code 14, Article VI and Baltimore County Department of Environmental Protection and Resource Management.

   B. A grading permit and security is required for any site having greater than 20,000 square feet of disturbed area. A security is not required for sites having less than 20,000 square feet of disturbed area.

   C. An erosion and sediment control plan must be approved by the Soil Conservation District and a separate approved final grading plan is required for any site having greater than 20,000 square feet of disturbed area. These plans must be approved by DEPRM prior to obtaining a grading permit.

   D. Sites having less than 20,000 square feet of disturbed area may be exempt from the approved erosion and sediment control plan requirement and may qualify to use standard sediment control plan measures. Contact the Bureau of Engineering Services, Division of Inspection and Enforcement at (410) 887-3226 for additional information

2. General Engineering Requirements:

   A. Erosion and sediment control plans for sites having greater than 20,000 square feet of disturbed area must be reviewed and approved by the Baltimore County Soil Conservation District (SCD). Upon such approval, plans are then returned to the Department of Environmental Protection and Resource Management for microfilming. Grading plans will not be approved prior to SCD signature on erosion and sediment control plans.

   B. Final grading plans for sites having greater than 20,000 square feet of disturbed area must be submitted for approval to the Bureau of Engineering Services along with the site erosion and sediment control plans. Final grading plans must show all proposed grading, storm drain inlets and their connections to the main storm

drain system up to a suitable outfall, building locations, first floor elevations, septic reserve areas, sidewalks and driveways. Proposed sanitary and water lines and their connections to existing systems must be shown on the final grading plan. Sediment control devices should not be shown on the final grading plan. Mass grading plans are not acceptable unless a waiver to this standard is granted by the Bureau of Engineering Services. Final grading must reflect the proposed condition of the storm water management hydrology. Refer to Baltimore County Code Title 14, Article VI.

C. Erosion and sediment control devices must be perimeter type devices and must be located sufficiently outside of proposed grading, therefore, proposed grading should not be shown to the limits of property lines, wetlands, floodplains or buffers. Erosion and sediment control plans must be designed for all work shown on the final grading plan.

D. Proposed storm water management ponds must be used as temporary sediment basins unless prohibited as such by the Bureau of Engineering Services' project engineer.

E. Grading plan must be in compliance with the Development Plan.

F. Erosion and sediment control devices may not outfall onto adjacent improved properties without the property owner's written permission.

G. All floodplains, wetlands, and buffers must be shown on final grading plans and should be shown on the sediment control plans. Erosion and sediment control devices may not be located within such areas except as allowed by DEPRM. Sediment traps outfalling into such areas must provide two times the normally required storage.

H. Sediment trapping device must be located outside the septic reserve areas. Show locations of septic reserve areas on the grading plan in the absence of a sanitary sewer line.

3. <u>Outlines for Development Plan Approval:</u>

A. Proposed grading, especially filling, should not be shown up to limits of property lines, floodplains, wetlands, or buffers. There should be adequate room for perimeter sediment and erosion control devices and for movement of construction equipment.

B. Proposed grading must not exceed slope requirements of 2:1 maximum on commercial properties and 3:1 maximum on residential lot areas and 4:1 within 25 feet of septic reserve areas.

C. Proposed grading must not adversely impact the adjacent properties. Runoff must be discharged at locations of suitable outfalls. Diversion of natural runoff patterns from the ultimate outfall for more than 1,000 feet by proposed grading is not acceptable.

4. Site Specific Comments:

A. *There are no site specific comments, refer to the preceding pages for general* requirements.

B. This project will be subject to the new stormwater management requirements that Baltimore County adopted on July 1, 2001.

Lee Anthony Dregier, II, P.E.

July 23, 2001
ConGrd.ABform,LAD

HEARING OFFICERS HEARING CONFERENCE
I.D. # A011321
MOORE'S MEADOW SECTION ONE
APRIL 4, 2002 @ 9:00 AM

STORM WATER MANAGEMENT COMMENTS:

1. The Storm Water Management Act:

   A. The Developer is responsible to address the requirements of the Baltimore County Code, Title 14, Article V.

   B. Provisions for exemptions, waivers and variances for Storm Water Management (SWM) are described in this document. Exemptions, waivers and variances should be applied for and granted (or denied) by the County before Development Plan approval is given.

   C. Conditions for recording plats and granting grading and building permits as related to SWM are also described in this document. The developer is advised to be aware of these conditions and include them in planning the project to avoid unnecessary delays to construction.

2. General Engineering Requirements:

   A. Peak management of the 2 and 10 year storm events is normally required. If the development is in certain designated inter-jurisdictional watersheds or, if deemed necessary Baltimore County, 100 year peak management may also be required.

   B. Please refer to the Storm Water Management Section of the Baltimore County Design Manual for general design criteria. Hydrology shall be in accordance with the June 1986 version of TR-55.

   C. Water quality measures are required to some degree on all projects not exempt from SWM. The developer is responsible for addressing all applicable requirements of agencies whether within or outside of Baltimore County having jurisdiction over water quality, streams or wetlands.

   D. Storm water management facilities are also subject to review and approval by the Baltimore County Soil Conservation District.

E. Storm water management facilities which either outfall to a Baltimore County storm drain system or for which a public road will serves as a pond embankment will be reviewed and approved concurrently by the Department of Public Works and the Department of Environmental Protection and Resource Management.

F. Site design must maintain, to the extent possible, predevelopment drainage patterns and characteristics. Diversion of drainage is discouraged and DEPRM reserves the right to prohibit drainage diversions it finds detrimental.

3. Maintenance Requirements:

A. Storm water management facilities may be maintained by Baltimore County if the following conditions are met, subject to approval of the Department of Environmental Protection and Resource Management:

(1) Residential subdivision in which all lots are for sale in fee.

(2) Requirements for public ponds given in the Baltimore County Department of Public Works Design Manual are all met.

(3) Storm water management facility is enclosed in a reservation shown on the record plat to allow the facility to be deeded in-fee to Baltimore County.

B. Private maintenance of SWM facilities is acceptable. A Deed of Declaration must be executed by the developer guaranteeing maintenance of and County access to SWM facilities before plats may be recorded and before grading or building permits may be granted. Storm water management facilities in residential subdivisions to be maintained privately by a Homeowners Association shall be designed according to the requirements for public ponds.

4. Guidelines for Development Plan Approval:

A. Show type, size and location of all SWM facilities on the Development Plan, including qualitative management facilities. Preliminary computations (hydrology) should be provided to verify that the SWM area(s) on the plan are adequate.

B. Show that all outfalls from SWM facilities and bypass areas are "suitable" as defined by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

C. Show that the SWM facilities do not create a hazard. An example of a hazard would be an embankment dam located so that in the event of a breach failure, down stream life or property is endangered.

D. List on development Plan any waiver or variance and give date of approval by Baltimore County.

5. Site - Specific Comments:

In addition to the above, each project will be given a brief review by the DEPRM's Division of Design and Review, and a set of specific comments will be provided. The developer is responsible for address these site specific comments, which are enumerated as follows:

A. 2, 10 and 100-year peak quantity management is required for this area.
B. Water quality measures consistent with the policy of DEPRM must be provided. Minimum water quality must be provided for the first 0.5 inch of runoff from all impervious areas Infiltration practices must be investigated and are preferred where practical.
C. All site runoff must be conveyed to a suitable outfall without affecting the receiving wetland, watercourse, waterbody, storm drain or adjacent property
D. A site visit was conducted on April 11, 2002. This office recommends that the upstream property owner grant permission to the downstream property owner to connect to the proposed Baltimore County storm drain system when it is constructed at design point #3

R.A. Wirth for Lee A. Dregier

04/17/02

moore swm

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

October 23, 2002

SENT VIA FAX AND U.S. MAIL

G. Scott Barhight, Esquire
WHITEFORD, TAYLOR & PRESTON
500 Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204-4515

RE: *In the Matter of: Moore's Meadows*
PDM XI-728 /Case No. CBA-02-150
and Case No. 02-376-A

Dear Mr. Barhight:

This letter will confirm our telephone conversation this morning regarding hearing dates for the subject matter. Inasmuch as you will be out of town on Thursday, November 14, 2002, hearing day #2 has been pulled from the Board's schedule. With regard to the possibility of assigning November 7th as day #2, I've spoken with Mr. Holzer who has indicated that he has a schedule conflict on that day.

Therefore, the Board will convene on Thursday, October 31, 2002 at 10:00 a.m. as previously scheduled for day #1of hearing, with any additional dates, if needed, to be discussed at that time.

Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Kathleen C. Bianco
Administrator

Enclosure

c: Peter M. Zimmerman /People's Counsel
for Baltimore County
J. Carroll Holzer, Esquire

FILE

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: February 5, 2003

TO: Arnold Jablon, Director
Permits & Development Management
Attn.: David Duvall

FROM: Theresa R. Shelton
Board of Appeals

SUBJECT: **CLOSED APPEAL CASE FILES**

The following case(s) have been finalized and the Board of Appeals is closing the copy of the appeal case file(s) and returning the file(s) and exhibits (if applicable) attached herewith.

BOARD OF APPEALS CASE NUMBER	***PDM FILE NUMBER***	**NAME**	**LOCATION**
02-376-A amd CBA-02-150	***02-376-A and PDM No. XI-728***	Moore's Meadow	5225 E. Joppa Road

Attachment: SUBJECT FILE(S) ATTACHED

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

OFFICES IN

MARYLAND
WASHINGTON, D.C
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Robert A. Hoffman
(410) 494-6262

rahoffman@venable.com

October 24, 2002

Via Hand Delivery

Kathleen C. Bianco, Administrator
County Board of Appeals
for Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: Case No.: 02-376-XA
PDM No.: XI-728
Moore's Meadow

Dear Mrs. Bianco:

I received the Notice of Assignment for the above-captioned matter, which has been scheduled to be heard by the Board of Appeals on Thursday, October 31, 2002, and Thursday, November 14, 2002. Although I represent the principals of the appellant generally, I have not entered my appearance in this case and wish not to be copied on any future correspondence.

If there are any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

Robert A. Hoffman

RAH/ald
cc: G. Scott Barhight, Esquire
J. Carroll Holzer. Esquire
People's Counsel

TO1DOCS1/ald99/#147661 v1

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

20 COLUMBIA CORPORATE CENTER
10420 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044-3528
TELEPHONE 410 884-0700
FAX 410 884-0719

JENNIFER R. BUSSE
DIRECT NUMBER
410 832-2077
jbusse@wtplaw.com

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L.L.P.

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515
410 832-2000
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1025 CONNECTICUT AVENUE, NW
WASHINGTON, D.C. 20036-5405
TELEPHONE 202 659-6800
FAX 202 331-0573

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5742
FAX 703 836-0265

February 27, 2002

Via Facsimile

Apeal #4

John Lewis
Baltimore County Zoning Office
111 W. Chesapeake Ave.
Towson, MD 21204

Re: Moores Meadows
Zoning Item No.: ~~02-231-A~~
PDM No.: XI-728

Dear Mr. Lewis:

Per your request, I am submitting this letter explaining the circumstances surrounding the drop off filing I submitted for this file on February 11, 2002.

I had two filing appointments on this Petition for Variance. The first took place on January 18, 2002, and at that time Stacey McArthur and I met with Jeff Perlow and John Alexander. Those gentlemen recommended revisions be made to the plan. The second filing appointment took place on January 31, 2002, and at that time Alan Scoll and I met with you. You made some additional comments and at that time I explained that I would submit the plan as a drop off once Mr. Scoll provided me with the required number of copies of the plan.

On February 11, 2002, I submitted the Petitions for Variance and all required plans and documentation as a drop off filing. I spoke with Carl Lewis at that time and he inquired as to who had reviewed the plan. I provided Carl with the same information outlined above with regard to the Plan's review. Carl indicated that Rose had correctly provided me with a Case Item number and instructed me to leave the plan, petitions, etc. in the In-Box adjacent to Rose's desk.

02-376-A

There are no outstanding notice of violations relating to this property. You mentioned that you had recently received a new supplement to your zoning code. I received the same supplement and nothing in that supplement affects this plan. While the supplement did contain new pages for BCZR Section 260, we were already aware that Bill 58-01 had been passed and the Plan references the changes to Section 260 pursuant to Bill 58-01.

I am unaware of anything affecting the zoning office's acceptance of this plan. Therefore, please contact me immediately if there are any issues of which I need be concerned. I have already been provided with an HOH date of April 4, 2002. This Plan to Accompany Petitions for Variances is to be heard as a combined hearing with the Development Plan for this project.

Thank you for your cooperation in this matter.

Sincerely,

Jennifer R. Busse

JRB:wtp

Attachment
Cc: Stacey McArthur
Douglas F. Eshelman
G. Scott Barhight, Esq.

246272

02-376-A

~~Ethics Reform~~ Zoning

6/13/02
CB
send client bill
for appeal
not the appeal

LIBERTY ROAD COMMUNITY COUNCIL
P.O. Box 31617
Baltimore, Md. 21207

June 10, 2002

Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Ave.
Towson, Md. 21204

Dear Mr. Jablon,

We are appealing Case # 02-392-A which was set for hearing dated May 14, 2002 and changed to May 6, 2002 and granted. We are appealing based on the fact that the community was not advised of this change.

Due to the fact that this was done without the community's knowledge and input we are requesting a waiver of the $75.00 fee needed to appeal this case. We are forwarding $75.00 in case the waiver is not granted.

Sincerely,

William Obriecht

William Obriecht, President

RECEIVED
JUN 10 2002
By GDZ

3/18/02
Moores
& please call + let him know - & have Walter call

Est. 1776

PERRY HALL

IMPROVEMENT ASSOCIATION, INC.

P.O. Box 63 Perry Hall, Maryland 21128 http://www.bcpl.net/~phia phia@mail.bcpl.net

March 17, 2002

Mr. Arnold Jablon
Director, Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Jablon:

The Perry Hall Improvement Association requests that you delay the Zoning Commissioner's hearing scheduled for Thursday, April 4 for the Moores Meadows development.

The PHIA only recently obtained the blueprints for this project, which has been modified significantly since the Community Input Meeting last summer. We need more time to evaluate the project, including the significant number of variances the developer has proposed.

Please contact Dennis Eckard at (410) 256-6871 if you have any questions. Thank you for your attention.

Respectfully:

David Marks
President
Perry Hall Improvement Association

02-879

MOORE'S MEADOW
4-4-02

Case Number ____________________

PLEASE *PRINT* LEGIBLY

COUNTY
~~CITIZEN'S~~ SIGN-IN SHEET

Name	Address	City, State	Zip Code
JAN COOK	REC. & PARKS		
JEFF LONG	Planning		
R. Bruce Seeley	DEPRM		
Robert W Bowling	DPR -		
WILLIAM A. MINER	LAND ACQUISITION		

Revised 4/17/00

Moore's Manor
4-4-02

Case Number X1-728

PLEASE *PRINT* LEGIBLY

PETITIONER'S
~~PROTESTANT~~'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
MICKEY CORNELIUS	9900 FRANKLIN SQ DR STE H BALTO MD 21236		
ALAN SCOLL	D. S. THALER & ASSOC, INC		
DAVID S. THALER	P. O. BOX 74728 7115 Ambassador Rd		
ERNEST I SHEPPEE	/ Balto MD. 21244		

Revised 4/17/00

HOM
Moore's Meadow
4-4-02

Case Number _____

PLEASE ***PRINT*** LEGIBLY

CITIZEN'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
256-0675 WILLIAM GIBERCCI	19 SHAWN CT	BALTO Md.	21236
DENNIS ECKARD	39 Banquet ave	"	21128
Nancy BISCOE	901 S Conventon Ave	"	21128
Fred Hamilyer	410-256-4872	/	21128
JOHN MILLER	410-256-6271 9116 CONVENTION	"	21128
Steve Martin	5423 E Joppa Rd	"	21128
For Landmark Voice Communication	814 Bostian Island	Balt md	21221
410 243-6094 Jim Rawlc	410 243-6094 4218 Wickford Rd	Balt. Md	21210
Renata Ramsburg	" "	" "	"
Dave Meadows	5216 E Joppa	P. Hall	21126
JONATHAN MILLER	410-256-6271 4227 GARLAND	BALT.	21236
Stephanie Ducote	9137 Coventon Ave	Perry Hall	21128
Jeanette Poletynski	410-529-1260/410-529-9082 5024 Hornago Ave	Perry Hall	21128
Colleen Barzyk	P.O. Box 430	Kingsville	21087
Laura Beitman	409 Washington Ave	Towson	21204
	410-337-2400 ext 3448 lbeitman@patuxent.com		

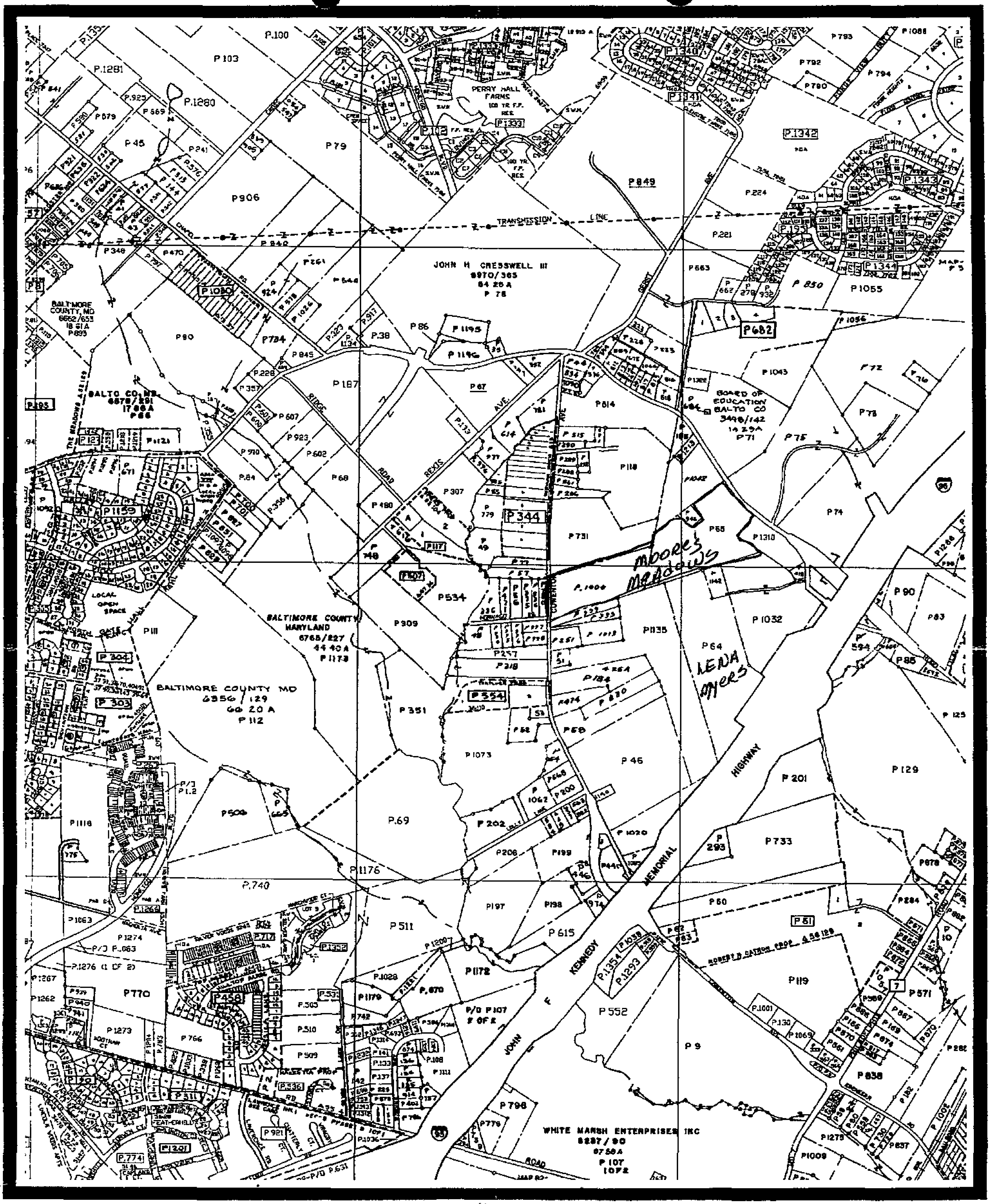
Revised 4/17/00

Dev #2

We the undersigned oppose the proposed cul de sac/ dead end, on the Cowenton Avenue side of Moores Meadow development. We prefer that traffic be allowed to enter and exit from both Cowenton Avenue side as well as the Joppa Road side. We oppose the idea of a gated complex which excludes us and is divisive to the larger community.

NAME (print)	ADDRESS	SIGNATURE
William + Kathleen Kasinski	5525 E Joppa Rd	William Kasinski
Steve + Jean Martin	5423 E. Joppa	Steve Martin
Robert & Trudy Knight	5511 Dunrovin Ln	
DEAN EVANS	11221 LILAC LANE	Dean Evans
HENRY W KOCH	11204 LILAC LANE	Henry W Koch
WILLIAM H. BORGERDING	5505 DUNROVIN LA.	William H. Borgerding
NANCY BORGERDING	5505 DUNROVIN LA.	Nancy Borgerding
John Slone	5504 Dunrovin Ct.	John Slone
Kim Slone	5504 Dunrovin La.	Kim Slone
A. Catherine Keys	5509 DUNROVIN LN.	A. Catherine Keys
ESTHER A. RUTKOWSKI Esther L. Rutkowski	5508 Dunrovin La.	Esther L. Rutkowski
BEVERLY ANN KARSON GEORGE R. KARSON III	11211 LILAC LANE	George Karson III
Bob & Lynn Nienstadt	11205 Lilac Ln	Bob Nienstadt Lynn Nienstadt
Phil Garrett	5415 E. Joppa Rd	Phil Garrett
Robert B Munson	5527 E. Joppa Rd	Robert B Munson
Michelle Munson	5527 E. Joppa Rd.	Michelle Munson
Roger & Mary Colbert	5529 E Joppa Rd	Roger Mary Colbert
Doris M. Durocher	5514 Lost Copper Trl	Doris M. Durocher

2115


PERRY HALL FARMS
JOHN H CRESSWELL III
8970/365
84 26 A
P 78
TRANSMISSION LINE
BALTIMORE COUNTY, MD
6652/653
18 61 A
P 893
BALTO CO. MD.
6578/291
17 86 A
P 66
BOARD OF EDUCATION BALTO CO
3498/142
14 29 A
P 71
BALTIMORE COUNTY MARYLAND
6765/227
44 40 A
P 1173
BALTIMORE COUNTY MD
6356 / 129
60 20 A
P 112
LOCAL OPEN SPACE
Moore's Meadows
LENA MYERS
RIDGE ROAD
REXIS AVE.
GERST AVE
JOHN F KENNEDY MEMORIAL HIGHWAY
ROBERT D. CATHOW PROP.
WHITE MARSH ENTERPRISES INC
6287 / 90
97 56 A
P 107
1 OF 2
P/O P 107
2 OF 2
P.100
P 103
P.1281
P.1280
P 79
P 906
P 849
P.1342
P 1340
P 1341
P 1343
P 1344
P 1333
P 793
P 792
P 794
P 790
P.224
P.221
P 663
P 850
P 1055
P 1056
P 682
P 1043
P 72
P 73
P 75
P 74
P 90
P 83
P 85
P 125
P 129
P 45
P 80
P 187
P 67
P 614
P 118
P 731
P 344
P 65
P 1310
P 534
P 309
P 1135
P 64
P 1032
P 351
P 1073
P 46
P 201
P.69
P 202
P 733
P 293
P 1176
P.740
P 511
P 197
P 198
P 615
P 60
P 61
P 119
P 552
P 9
P 1172
P 770
P 766
P 1273
P 1274
P 1063
P 1116
P 111
P 506
P 458
P 311
P 921
P.774
P 1201
P 838
P 571
P 798
P 1354
P 1293
P 1009
P 1275
P 857
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Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

Petition
3A-3D
Hoh
XI-124
Maria Hearing

COWENTOWN AVE - Looking South
FROM MOORES MEADOWS
HORNAGO Rd AT FIRST UTILITY
POLE

Pet Ex 3A

COLLECTOR AVE NORTH TOWARD TOPPAKI,
MOORE'S MEADOWS PROPERTY - WOODS
ON RIGHT SIDE

NOTE SMALL STREAM WALL - RIGHT SIDE

3B

COVENTRY AVE

WOODS ON Right - MOORES MEADOWS

NO RUNOFF AREA FOR SWM

COWENTON AVE
Looking NORTH FROM HORNAGO Rd.
to MOORE'S MEADOWS (WOODS)
on Right.

NO ROADSIDE DITCH FOR SWM
RUNOFF.

3C

- MOORE'S MEADOWS

PROPOSED SANITARY SEWER

CONNECTION TO HONEYGO RUN

INTERCEPTOR. FOR MOORE'S MEADOWS

DRIVEWAY EASEMENT TO WEDEMORE

HOUSE.

BISCOE PROPERTY ON RIGHT

3C

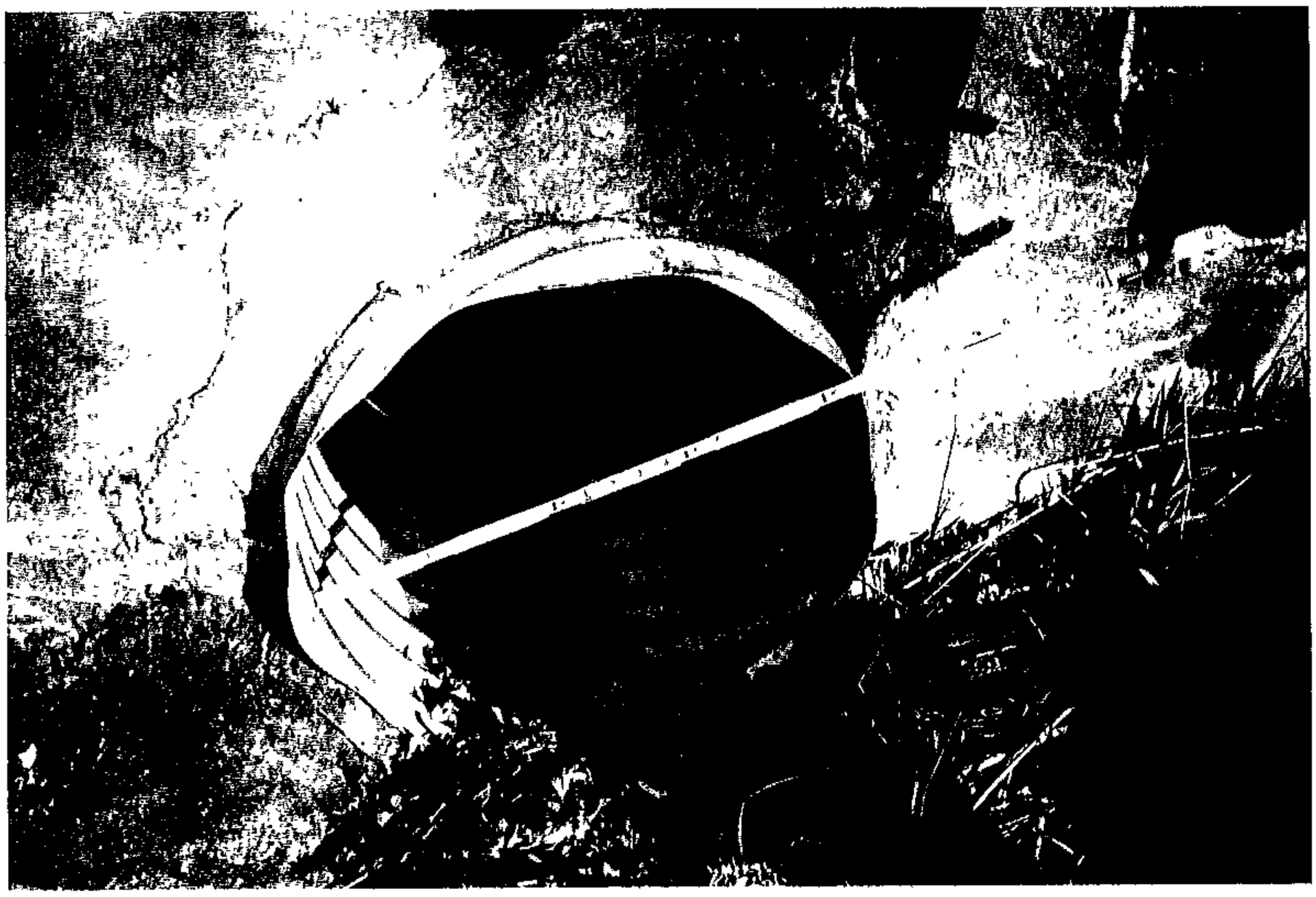
April 2002

D.S. THALER & ASSOCIATES, INC.

Dev Ex #6

Moore's Meadows
Outfall Study

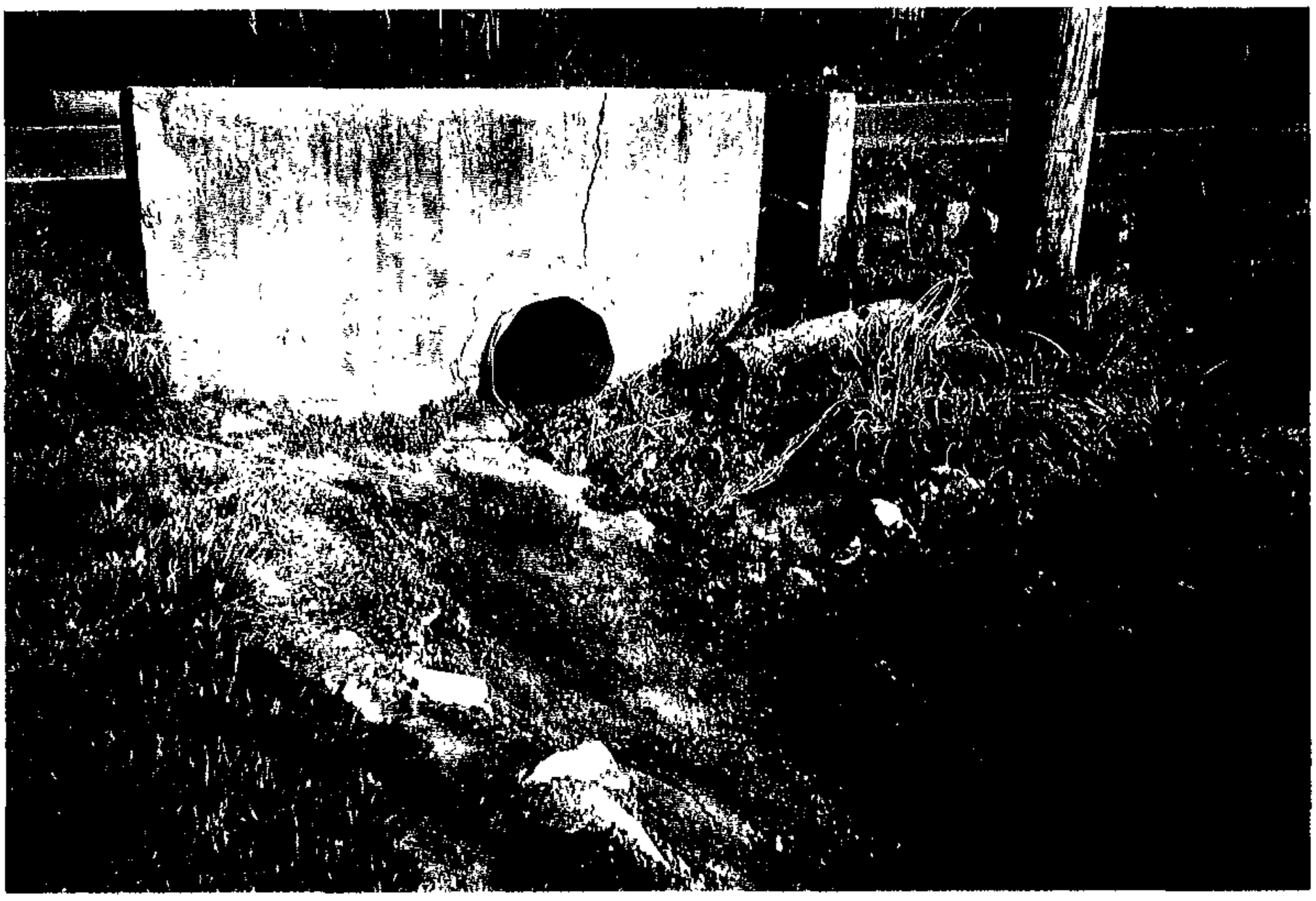
Looking west (downstream) from Cowenton Avenue along existing concrete and masonry channel below existing 24-inch CMP culvert



Downstream end of existing 24-inch CMP culvert under Cowenton Avenue

D.S. THALER & ASSOCIATES, INC.

Moore's Meadows
Outfall Study

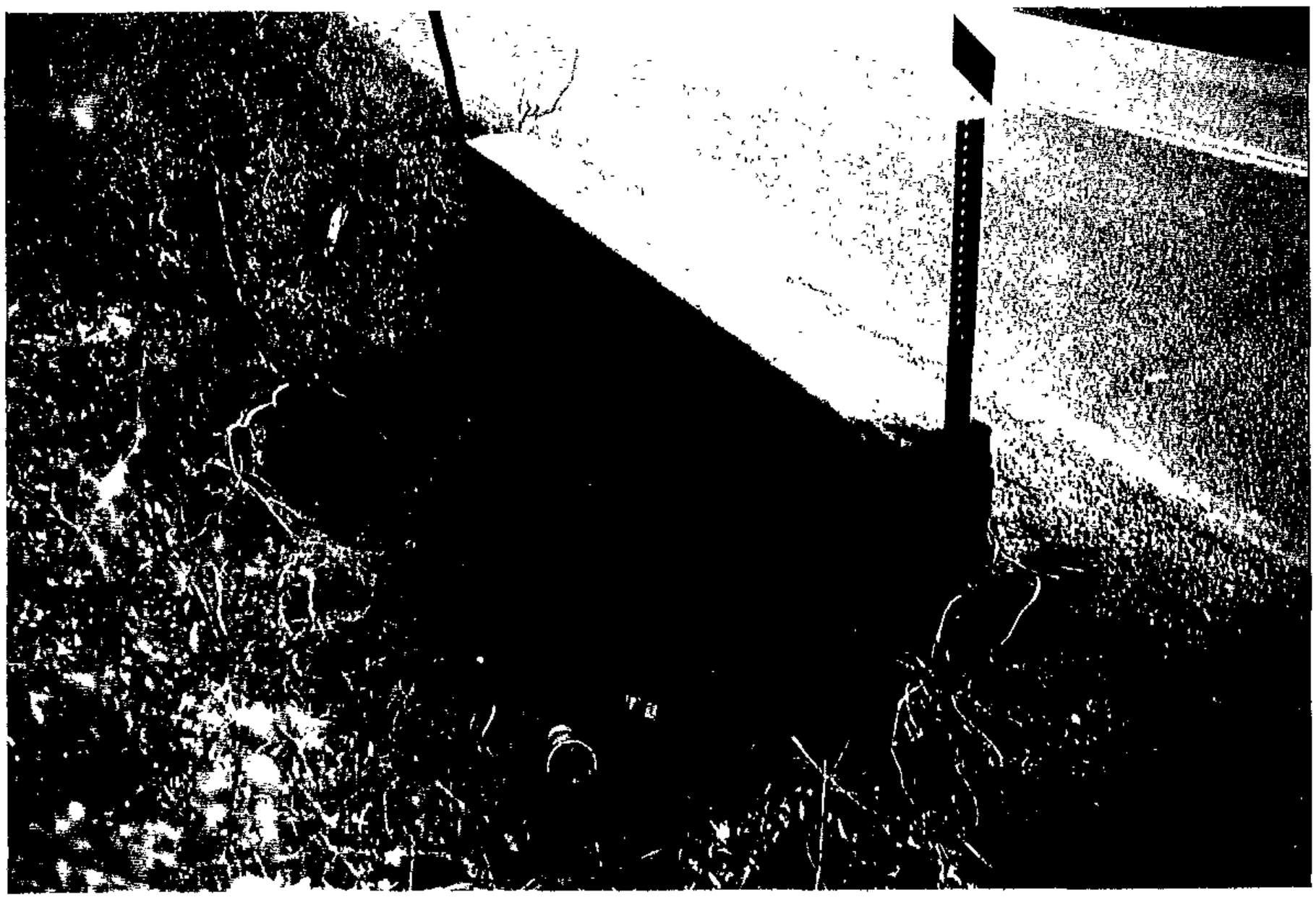


Looking east (upstream) at the downstream end of existing 24-inch CMP culvert under Cowenton Avenue
Note concrete channel in foreground

Existing 12-inch RCP at north end of existing headwall, located at the downstream end of existing 24-inch CMP culvert beneath Cowenton Avenue.

D.S. THALER & ASSOCIATES, INC.

Moore's Meadows
Outfall Study

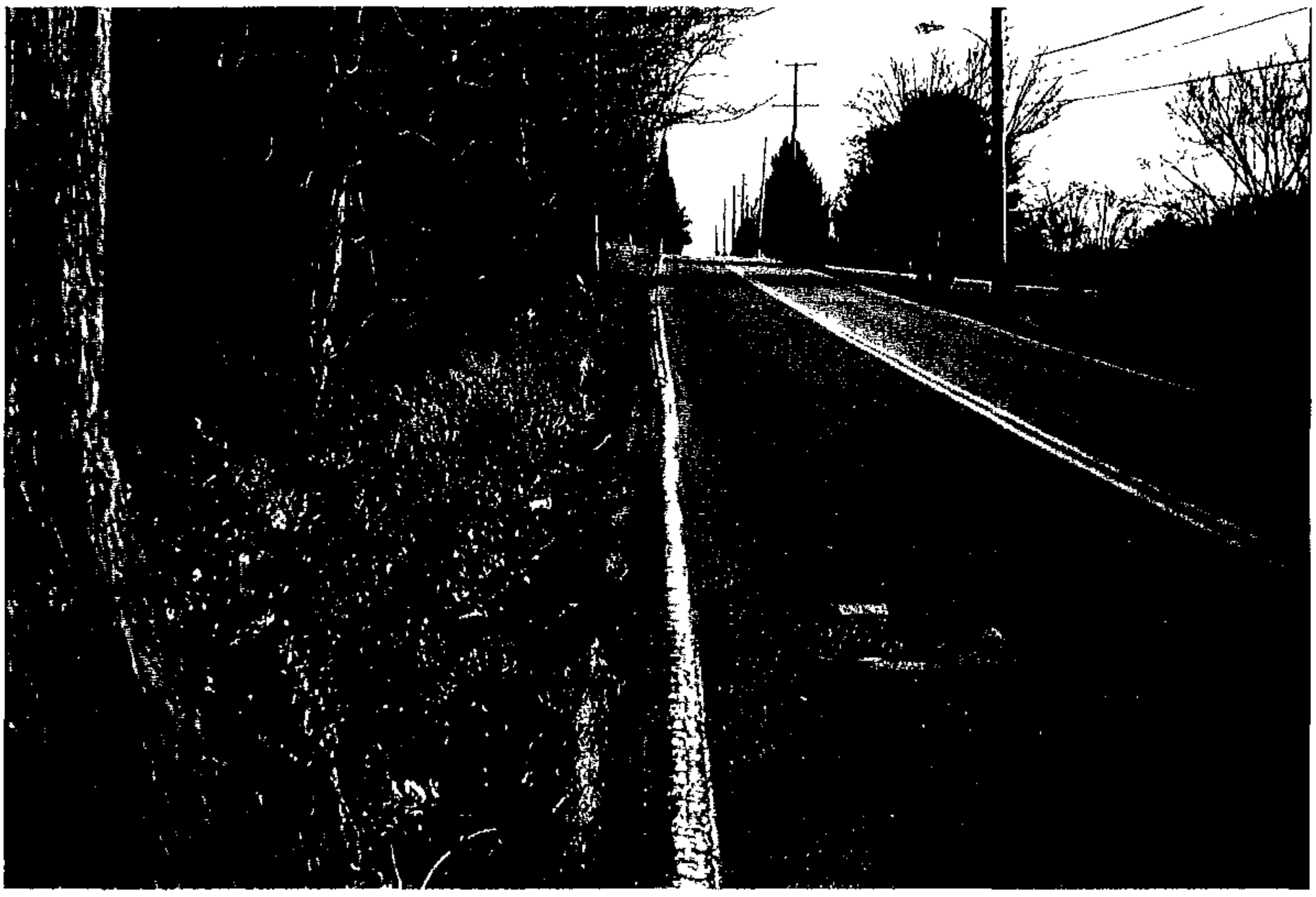


Upstream end of existing 24-inch CMP culvert under Cowenton Avenue, looking southwest

Looking south along the east side of Cowenton Avenue Upstream headwall for 24-inch CMP culvert is in the foreground. Note well defined, paved roadside ditch along Cowenton Avenue.

D.S. THALER & ASSOCIATES, INC.

Moore's Meadows
Outfall Study



Looking south along the east edge of Cowenton Avenue along existing well defined, partially vegetated roadside swale. Swale appears to be stable.

Looking south along the east side of Cowenton Avenue Roadside swale terminates in the vicinity of existing guy pole and fire hydrant. Proposed stilling well to be located to the left of the camera.

D.S. THALER & ASSOCIATES, INC.

Moore's Meadows
Outfall Study

Looking southeast (downstream) along well defined channel, vicinity of proposed level spreader at rear of Lot 34

Same as above, but looking northwest (upstream).

D.S. THALER & ASSOCIATES, INC.

Moore's Meadows
Outfall Study

Looking southwest (downstream) at tract boundary, vicinity of proposed level spreader at rear of Lot 51

Same as above Note open field to the right.

Same as Plate 6, top, looking south. Note dense vegetation and very flat terrain.

Same as Plate 6, bottom, but looking south at existing well vegetated open field. Note very flat terrain along tract boundary.

GENERAL NOTES

1. DEVELOPMENT NAME: MOORES MEADOWS
(1) APPROVED CONTRACT PURCHASERS:
Name: TBD
Address: Not Applicable
Tax Account #: 2224417428

2. OWNERS:
Name: E. Joppa Road, LLC
Liber: 6, Folio: 499
Contact: Mr. Gregory E. Hoodzow
Address: P.O. Box 47428
Phone: Baltimore, MD 21236-2928

3. PLAN PREPARED BY:
D.S. Thaler & Associates, Inc.
8 Ambassador Road, Suite 100, Phone: 410-363-3555
Baltimore, Maryland 21244-7428
Attn: Fred S. Thaler, A.S.

4. PROPERTY REFERENCES:

PARCEL	TAX ACCOUNT #	AREA (ACRES)	DEED REF.	MAP	GRID	PARCEL (TAX ZONE)	ADC
P. 1042	6167615226	3.89 AC±	00005/508	0066	13	13 - 13	2H-J7
P. 766	0767615226	0.04 AC±	00005/508	0066	13	13 - 13	2H-J7
P. 49	2200012726	0.61 AC±	00005/508	0111	13	13 - 13	2H-J7
P. 1000	1000011421	8.00 AC±	6/766	0111	13	13 - 13	2H-J7

Boundary: D.S. Thaler & Associates, Inc. (November 2000)
Topography: Wings Aerial Mapping Co., Inc. (April, 2000) & Baltimore County 2' GIS Data (Flown 3/1/2000) & Baltimore County 1' GIS Data (Flown 3/1/2002 - Off-site)
Utilities: Baltimore County Data Map 54-NE & 55-NE
Baltimore County Water & Sewer Plan (Adopted 2006)
Zoning: Baltimore County 2004 Zoning Maps (200SE) (NE 10 & 11) (12)
Soils: USDA, Baltimore County Soil Survey Manual (Page 37)
Wetlands: None on-site per American Land Consultants (2000) & Baltimore County Wetlands Maps
Floodplain: No 100 year floodplain exists on site (marine or tidal)

Steep Slopes & GIS Data: D.S. Thaler & Associates, Inc. (November 2000)
Forest Stand Delineation: Approved by Baltimore County
Forest Stand Analysis: American Land Consultants (June 2000)
Forest Conservation: D.S. Thaler & Associates, Inc. (June 2000)
Forest Conservation Easements: None

5. GENERAL INFORMATION:
Watershed: Herring Run
Census Tract: 4026.04
Subwatershed: 30
Coordinate System: NAD 83

School Information:
School Districts: Chapel Hill Elementary School, Perry Hall Middle School, Perry Hall High School

	Grade Range	Boundaries		Distance from Property	Capacity	Projected Future Enrollment
		Current	Proposed			
Elementary	K-5	Chapel Hill	Chapel Hill	1.5	412	412
Middle	6-8	Perry Hall	Perry Hall	4	1,107	1,107
High School	9-12	Perry Hall	Perry Hall	4	1,800	1,800

6. SITE INFORMATION:
A. Acreage:
Total = 28.04 Ac±
Net = 28.04 Ac±
B. Existing Zoning: DR-3.5H & 28.04 Ac±
C. Density Calculations:
Allowed: DR-3.5H @ 28.04 Ac± = 98 dwellings
Proposed: 60 single family detached dwellings
D. Parking:

	Single Family Detached	Open Space	Other Uses
Required	2 spaces per unit	1 space per 1,000 S.F.	1 space per 1,000 S.F. of applicable use
Proposed	2 spaces per unit	12 spaces	

E. Open Space: *At Open Space shall be in conformance with the Local Open Space Manual, as amended.
Required:
Active Open Space: 1,200 SF/unit, 1,800 SF = 60 units +
0.05% Acre or 2,178 SF/unit
Passive Open Space: 1,200 SF/unit, 3600 SF = 60 units +
0.10% Acre or 4,356 SF/unit
Total: 1,071 Ac± or 50,000 SF±
Provided:
Active Open Space:
1.08 Ac± or 47,041 SF±
1.13 Ac± or 49,222 SF±
Total: 2.19 Ac± or 95,263 SF±

*All Open Space shall be in conformance with the Local Open Space Manual, Latest Edition, except as it may be modified and agreed to between the Developer and the Department of Recreation and Parks. Temporary open space amenities may be provided and shall be removed and replaced with permanent open space amenities prior to the issuance of the last building permit. Any temporary open space amenities beyond that which is shown on the Final Plan shall be reviewed and approved prior approval from the Department of Recreation and Parks.

F. Landscape requirements per the Baltimore County Landscape Manual, Latest Edition (2003) & 2004 and as amended:
Schematic Landscape Plan shown is prototypical in nature and is subject to change and modification at the Final Landscape Plan stage.
The Schematic Landscape Plan is subject to a Final Landscape Plan.
1 Planting Unit (PU) =
1 major deciduous tree/2 ornamental/ evergreen trees
2 evergreen trees (6'-7' ht.)/ 4 shrubs
2 ornamental trees (6'-7' ht.)/ 4 shrubs
2 trees (6'-7' ht.)/ 4 shrubs
400 S.F. of landscaped area
(2) landscaped/preserved 1" caliper trees/shrubs/ground cover
*(1) trees (class 3)/ screening requirements only

	Required	Proposed
A. STREET FRONTAGE: (Condition A) Adjacent Road: # 1 PU/40 L.F. Interior Road: # 1 PU/50 L.F.	1,270 LF±/40= 32 P.U. 3,040 LF±/50= 61* P.U.	93 P.U.
B. PARKING LOTS: (Condition B) Perimeter Screening: • Adjacent to public right-of-way (Class A) • shrubs installed height of 18" for shrubs and 3'-4' for hedges • 1 shrub/ 3' of perimeter • Interior Road: # 1 PU/20 L.F. • Parking Lot: 1 PU/10 spaces *1 PU per parking lot Landscaping for interior of parking lot: Building Perimeter of within 8'	120 LF±/3= 40 P.U. 40 LF±/20= 2 P.U. 12 spaces/10= 1 P.U.	0 P.U. 2 P.U. 1 P.U.
C. REAR + SIDE YARD: (Condition C) Class 'A' screen: shrubs installed height of 3'-4'/30' for shrubs and 3'-4' for hedges 1 PU/ 30 L.F.	195 LF±/30= 13 P.U.	13 P.U.
D. SWM: (Condition D) Screen adjoining properties, public and private roads (Class A screen) (Class 'A' screen) 1 PU/ 20 L.F. of perimeter residences (a box of 16 shrubs shall be off-set every 20') • No woody vegetation within 10 feet of the rear of the dwelling unit • 10 foot landscape area between lot property line and stormwater facility • No woody vegetation within 10 feet of inlet structure, outlet structure, or emergency spillway	1825 LF±/20= 92.5 P.U.	92.5 P.U.
E. OPEN SPACE: (Condition E) Landscape 50 S.F. of required open space *Credit may be given for retention of existing trees	60,000 SF±/1000= 60 P.U.	60 P.U.
TOTAL:		305+ P.U.

Credit may be applied for at time of Final Landscape Plan submittal. The Final Landscape Plan will be approved prior to grading permit application.

I. UTILITIES: Public water and sewer will be provided. Onsite utilities will be either public or private.

J. USE: Residential (Single-Family Detached) and Agricultural
The proposed use is Residential.

K. ENVIRONMENTAL: Areas of steep slopes, archaeological sites, rare, threatened or endangered species, or tidal/non-tidal wetlands* on the site.
We have found no evidence of any of the above features on the site. Environmental Review will be conducted as part of the Forest Conservation Plan and Preliminary Plan submittal.
*Wetland delineation will be conducted if areas are identified.

L. FLOODPLAIN: Is any portion of the property located within the 100 year floodplain? (Zoning Commissioner's Policy of Development Policies (ZCPDP) and Bill 70-94)
Steep Slopes and Floodplain Maps

M. STORMWATER MANAGEMENT: Stormwater management will conform to Baltimore County Standards.
Stormwater management facilities will be owned and maintained by a private homeowners association, unless otherwise determined by Baltimore County. Stormwater management facilities will be surrounded by a 10 foot landscape area.
Preliminary hydrology computations have been provided to Baltimore County for review and approval.
The Engineering Report will be submitted with the subdivision plans. Sizes for the storm water management ponds shall not exceed a ratio of 3:1 (length to width) as required by the Zoning Regulations.
Grading permit is submitted.

N. GRADING: Existing vegetation will be retained in areas not needed for construction. Areas disturbed by grading will be revegetated outside of existing vegetation and forest conservation areas.

O. SIGHT LINES: Proposed sight lines are shown on the plan and will be cleared and graded as necessary to provide sight lines in accordance with Baltimore County standards.

P. STORAGE: There are no known underground pipeline tanks on site.

Q. LIGHTING: Proposed lighting is shown as a lighting scheme subject to change.

R. No Zoning Case History has been found.
This property as shown on the plan has been held intact since June 1952. Recording this property as shown on the plan will not result in any lots as shown on the plan has been altered, recorded or represented as density or yield to any apartment use, office use or similar use.
Existing buildings (as noted on the plan) to be removed will be razed by the developer prior to issuance of final.

S. Soil and Slope Mitigation Measures:
a. Mass grading will be occurring in those areas where severe or moderate soil limitations are indicated and/or steep slopes occur.
b. Insure that grading plans consider protection of these areas that:
i. Minimize the extent of cut and fill and that steep slopes are retained.
ii. Stabilization of disturbed areas in accordance with approved sediment and erosion control plans.
c. Conduct construction operations with on-site inspections as appropriate.

T. Sidewalks shall be provided on all public roads. (Subject to Waiver Request for sidewalks, if approved)

U. Future signs shall conform with BCZR Section 450 and all zoning policies.

V. Building envelopes are subject to change and modification as necessary and may not be shown on the plan. Building envelopes are subject to setback and may not be subject to the various standards and limitations illustrated by the details and charts included on this plan.

W. Existing septics (as noted) shall be field located, removed and backfilled by a licensed septic contractor prior to issuance of grading permit for that lot.
There are no known wells on site.

X. Any Forest Conservation Easement or Forest Buffer Easement shown hereon is subject to protective covenants as required by the Land Boundary Maintenance Procedures of the Baltimore County Department of Environmental Protection and Resource Management.

Y. Proposed fences and landscaping shall not obstruct sight distance.

Z. Boundaries shown hereon are for the location of principal buildings only. Accessory buildings may be located within the boundaries as shown on the Final Plan subject to and may not meet zoning, side, rear and front yard setbacks. Refer to Article 1 of the Baltimore County Zoning Regulations. (Subject to comments and applicable building permits)
Fencing may be permitted by right in accordance with Baltimore County Zoning Regulations.

ZZ. Maximum building height shown is 50 feet. Not every home will reach this height.

AA. Any and all existing structures shall be removed prior to issuance of any occupancy permit for any of the lots shown on the Final Plan.

BB. The "Recommended Areas of Critical State Concern" map included on the Environmental Features Plan is for informational purposes only.

CC. A Site was held on August 21, 2000. The minutes, which identify all comments received at the Site Meeting, are included in the Forest Conservation Plans, Volume III dated 2/2/04.

DD. Any and all noise limitations established by the County Zoning Board of Appeals, Hearing Officer, Director of Planning or Maryland Department of the Environment shall be complied with.

EE. Any and all Forest Conservation Easements shall be shown on the proposed development plans and on the Record Plat(s) and recorded among the Baltimore County Land Records.
Baltimore County Preliminary or Final Landscape Manual, Latest Edition.
Baltimore County Zoning Regulations, Latest Edition.
Baltimore County Policies or Ordinances, Latest Edition.

FF. A Hydrogeological Report and an Environmental Effects Report have been filed concurrently with the Preliminary Development Plan.

GG. A Preliminary Forest Conservation Plan was submitted with the Preliminary Plan in accordance with the Forest Conservation Act of 1991.

HH. This site does not lie within the limits of the Chesapeake Bay Critical Area.
No additional information is required by the Department of Environmental Protection and Resource Management for review of the Preliminary Plan. The Critical Area Report will be submitted for review pursuant to Section 26-436(b)(2).

II. A Forest Buffer Waiver Variance request and Afforestation Analysis has been submitted to DEPRM.

JJ. Reforestation Transition Areas do not apply to reassessed sites in the if and in overlay Districts in the Chesapeake Bay Critical Area.

KK. The property is located within the Fourth Water and Sewer Plan Area. All Acreage: Sewage Disposal: Public System Existing
Highway widening for E. Joppa Road and Connection Avenue, indicated for dedication to Baltimore County, will be completed with the construction of this project.
The proposed Roads are named "Moores Meadows Road".

LL. The Acreage Overlay Design Guidelines were adopted by the County Council on 9-7-87, Resolution 109-87. The site does not lie within any other Baltimore County Zoning Regulations.

MM. All plantings will meet the standards set forth in Section 256.4.A.b.iii of the Baltimore County Landscape Manual.

NN. All fencing, shall be in conformance with the Acreage Overlay District.
Garage Conversions will not be permitted unless the required parking can be provided on an improved surface (asphalt, concrete, gravel, etc.) within 50 feet of the entry. Landscaping shall be provided on the street side of the fence.

OO. The Bureau of Traffic Engineering and Transportation has indicated that the access locations shown on the Preliminary Plan are acceptable. The Department of Environmental Protection and Resource Conservation Plans are currently being accepted like for the recent Forest Conservation Plans for the adjacent properties.

PP. Baltimore County Forest Conservation Easement and Forest Buffer Easement provides private roads and an sewer.

QQ. Baltimore County Forest Conservation Easement shall be shown on the Record Plat(s) and recorded among the Baltimore County Land Records.
A Forest Conservation Easement Agreement, in Forest Buffer Easement provides private roads and an sewer.

RR. The exterior surface of the front facade of all residential dwellings, not including the garage doors, shall consist of a minimum of 70% of approved materials. (Bill No. 40-1997). (Approved materials are brick and stone.)

SS. Siding exteriors shall be of finished quality and similar architectural treatment, as defined in the Acreage District Design Guidelines, to gable or where that is not feasible, shall be finished to within 4 feet of grade on all sides of the building.

TT. All fencing shall be in conformance with the Acreage Overlay District Design Guidelines. Fencing shall be limited to a maximum height of 6 feet and a minimum of least four feet from any public right-of-way other than an alley.

UU. Roofs shall be pitched in accordance with the Acreage Overlay District Design Guidelines. There is a minimum slope of 4:12 and a maximum slope of 12:12.

VV. Stormwater management pond access, where encroachment is not provided through a regional facility, shall not exceed a slope of 15%.

WW. Rooftop equipment shall be screened so it is not visible from the ground level of adjacent buildings.

XX. All inside group townhouses shall be at least 20 feet wide and all end of group townhouses shall be at least 30 feet wide. (Bill No. 40-1997).

YY. Signage standards. Signs are permitted, subject to Section 450. (Bill No. 40-1997)

ZZ. Open space standards.

1. Stream buffers, wetlands and steep slopes contiguous to streams and designated by the Department of Environmental Protection and Resource Management as forest buffer and wetland protection shall be dedicated to Baltimore County, recorded by county government among the land records of Baltimore County, and not deed to meet the lot area requirements of the underlying zone.

2. At least 25% of the perimeter of any open space must abut public rights-of-way or fronts of buildings, and shall not abut rear lot lines.

3. The county may accept a fee in lieu of providing required recreational open space when such fee is deemed by the county to be more beneficial to the county and the recreational amenity by the Baltimore County Department of Recreation and Parks. (Bill No. 40-1997). (Refer to Section 26-412 of the Baltimore County Code for more information)

4. Open space shall not contain any commercial use contiguous with streams shall not be used to meet minimum open space requirements of the underlying zones.

AAA. Parking standards

1. The provisions of Section 409.8 of these regulations apply except as provided in the subsection. (Bill No. 40-1997)

2. The provisions of Section 409.4 of these regulations do not apply and any lot may have access to an alley without the provision of a driveway.

3. Off-street parking bays are not permitted.

4. A curb cut shall not exceed 40'0" feet in length unless, as determined by the Director of Department of Public Works and Transportation, a longer length is needed to prevent encroachment on protected streets.

5. All driveways shall be paved and shall be installed with trees according to the standards for the street classification, as defined by the Acreage Overlay District Design Guidelines.

BBB. Application.

1. The provisions of this section shall govern in any situation where there is a conflict between the section and other regulations.

2. Where any terms of this section are silent, the provisions of these regulations governing the DR-3.5 zone shall apply.

3. In addition to the requirements of this section, residential and commercial development shall be subject to the Acreage Overlay Districts Design Guidelines. (Bill No. 40-1997)

APPLICABLE EXCERPTS FROM THE HONEYGO DEVELOPMENT STANDARDS:

259.4 Development standards for H and M Overlay Districts. (Bill No. 178-1994)

These standards are intended to be additions to, modifications of and exceptions from the standards required by the underlying zoning classification on the site and are to be shown on the plan for review and approval in accordance with Subsection A of this section.

A. Uses. (Bill No. 178-1994)

1. Back-to-back group homes are not permitted.

2. Retail establishments exceeding 65,000 square feet are not permitted.

3. Accessory structures, including but not limited to solar panels, antennae, satellite dishes, trash pads and storage sheds are not permitted in the front yard of any principal use.

B. Bulk and area standards. (Bill Nos. 40-1997, 178-1994)

1. Except for nonresidential principal buildings or uses, and their accessory parking, the requirements of Section 802.3.C.2 (Residential transition area) of these regulations shall not apply.

2. Except for properties with approved development plans or CRG plans, the minimum width for single-family detached lots is 60 feet as measured along lines that are front and rear wall of the dwelling unit.

3. Except as provided in this section, the provisions of Section 804.3.c. apply to development in the overlay districts. In the districts, the minimum residential yard/lot requirements are:

a. Ten feet from the right-of-way of a collector street, neighborhood street, alley or court, except that garages shall be set back at least 20 feet from the right-of-way.

b. Twenty feet from a right-of-way that is not a major or minor arterial or collector road, as defined in these regulations. In this case, Joppa Road is exempt, see variance request # 5 for Lot 57 only.

c. Not applied to porches or stoops in front yards.

d. No less than a eight-foot yard shall be provided on the same as a public right-of-way if the dwelling unit is designed to have a side or rear entry garage. However, the sum of side yards shall not be less than 20 feet.

e. Except for properties with approved development plans or CRG plans, lot fronts from the rear property line.

(1) Uncurbed additions, including porches and decks, may encroach into the rear yard setback by a maximum of 10 feet of the dwelling unit, and shall not be enclosed, except that they may screen the rear yard bulkhead area.

C. Building and site design standards.

1. Permissible siding materials.

a. The underlying zoning of the land is D.R.3.

b. No more than two bike stores a driveway and

c. Lots exceed 50,000 square feet in areas.

2. Reverse frontage lots are not permitted.

3. (Bill No. 178-1994)

a. Except for properties with approved development plans or CRG plans, when dwellings front on a collector street, garages in accordance with the regulations in effect prior to January 14, 1992, if front entry garage shall be recessed at least eight feet behind the front facade of the dwelling. Garages may be permitted to project up to four feet beyond front facade of the dwelling, provided that the front facade of the garage, including the dormer and not including the garage doors, shall comprise at least 50% of the total area of the front facade of the building. (Approved materials are brick and stone.)

b. The exterior surface of a side-entry garage, not including the garage doors, which faces the front of the dwelling shall be constructed of the same approved materials as the front facade of the building. (Approved materials are brick and stone.)

c. The exterior surface on the front facade of all residential dwellings, not including the garage doors shall consist of a minimum 70% of approved materials. (Bill No. 40-1997). (Approved materials are brick and stone.)

d. Siding exteriors shall be of finished quality and similar architectural treatment, as defined in the Acreage District Design Guidelines, to gable or where that is not feasible, shall be finished to within 4 feet of grade on all sides of the building.

e. All fencing shall be in conformance with the Acreage Overlay District Design Guidelines. Fencing shall be limited to a maximum height of 6 feet and a minimum of least four feet from any public right-of-way other than an alley.

f. Roofs shall be pitched in accordance with the Acreage Overlay District Design Guidelines. There is a minimum slope of 4:12 and a maximum slope of 12:12.

g. Stormwater management pond access, where encroachment is not provided through a regional facility, shall not exceed a slope of 15%.

h. Rooftop equipment shall be screened so it is not visible from the ground level of adjacent buildings.

i. All inside group townhouses shall be at least 20 feet wide and all end of group townhouses shall be at least 30 feet wide. (Bill No. 40-1997).

D. Signage standards. Signs are permitted, subject to Section 450. (Bill No. 40-1997)

E. Open space standards.

1. Stream buffers, wetlands and steep slopes contiguous to streams and designated by the Department of Environmental Protection and Resource Management as forest buffer and wetland protection shall be dedicated to Baltimore County, recorded by county government among the land records of Baltimore County, and not deed to meet the lot area requirements of the underlying zone.

2. At least 25% of the perimeter of any open space must abut public rights-of-way or fronts of buildings, and shall not abut rear lot lines.

3. The county may accept a fee in lieu of providing required recreational open space when such fee is deemed by the county to be more beneficial to the county and the recreational amenity by the Baltimore County Department of Recreation and Parks. (Bill No. 40-1997). (Refer to Section 26-412 of the Baltimore County Code for more information)

4. Open space shall not contain any commercial use contiguous with streams shall not be used to meet minimum open space requirements of the underlying zones.

F. Parking standards

1. The provisions of Section 409.8 of these regulations apply except as provided in the subsection. (Bill No. 40-1997)

2. The provisions of Section 409.4 of these regulations do not apply and any lot may have access to an alley without the provision of a driveway.

3. Off-street parking bays are not permitted.

4. A curb cut shall not exceed 40'0" feet in length unless, as determined by the Director of Department of Public Works and Transportation, a longer length is needed to prevent encroachment on protected streets.

5. All driveways shall be paved and shall be installed with trees according to the standards for the street classification, as defined by the Acreage Overlay District Design Guidelines.

G. Application.

1. The provisions of this section shall govern in any situation where there is a conflict between the section and other regulations.

2. Where any terms of this section are silent, the provisions of these regulations governing the DR-3.5 zone shall apply.

3. In addition to the requirements of this section, residential and commercial development shall be subject to the Acreage Overlay Districts Design Guidelines. (Bill No. 40-1997)

PUBLIC WORKS WAIVER REQUEST

(W-1) - To waive the required improvements to Lowerton Avenue.
(W-2) - To waive the required construction of a gutter in lieu of standard concrete curb & gutter.

REQUESTS FOR VARIANCES:

(V-1) Additional Variance petitions for a Variance from BCZR Section 259.4.B.2.b to allow a 20' setback from the rear property line in lieu of the required 40' setback on Lot 57.
(V-2) Additional Variance petitions for a Variance from BCZR Section 259.4.B.2.b to allow a 20' setback from the rear property line in lieu of the required 40' setback on Lot 58.
(V-3) Additional Variance petitions for a Variance from BCZR Section 259.4.B.2.b to allow a 20' setback from the rear property line in lieu of the required 40' setback on Lot 59.
(V-4) Additional Variance petitions for a Variance from BCZR Section 259.4.A.b.iii, BCZR Section 259.4.B.2.b, BCZR Section 259.4.B.3.a and 259.4.B.3.b to allow a 20' setback from the rear property line in lieu of the required 40' setback for Lots 1 through 7 and Lots 52 through 60 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 8 through 51 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 61 through 64.
(V-5) Additional Variance petitions for a Variance from BCZR Section 259.4.A.b.iii, BCZR Section 259.4.B.2.b, BCZR Section 259.4.B.3.a and 259.4.B.3.b to allow a 20' setback from the rear property line in lieu of the required 40' setback for Lots 1 through 7 and Lots 52 through 60 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 8 through 51 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 61 through 64.
(V-6) Additional Variance petitions for a Variance from BCZR Section 259.4.A.b.iii, BCZR Section 259.4.B.2.b, BCZR Section 259.4.B.3.a and 259.4.B.3.b to allow a 20' setback from the rear property line in lieu of the required 40' setback for Lots 1 through 7 and Lots 52 through 60 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 8 through 51 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 61 through 64.
(V-7) Additional Variance petitions for a Variance from BCZR Section 259.4.A.b.iii, BCZR Section 259.4.B.2.b, BCZR Section 259.4.B.3.a and 259.4.B.3.b to allow a 20' setback from the rear property line in lieu of the required 40' setback for Lots 1 through 7 and Lots 52 through 60 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 8 through 51 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 61 through 64.
(V-8) Additional Variance petitions for a Variance from BCZR Section 259.4.A.b.iii, BCZR Section 259.4.B.2.b, BCZR Section 259.4.B.3.a and 259.4.B.3.b to allow a 20' setback from the rear property line in lieu of the required 40' setback for Lots 1 through 7 and Lots 52 through 60 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 8 through 51 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 61 through 64.
(V-9) Additional Variance petitions for a Variance from BCZR Section 259.4.A.b.iii, BCZR Section 259.4.B.2.b, BCZR Section 259.4.B.3.a and 259.4.B.3.b to allow a 20' setback from the rear property line in lieu of the required 40' setback for Lots 1 through 7 and Lots 52 through 60 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 8 through 51 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 61 through 64.
(V-10) Additional Variance petitions for a Variance from BCZR Section 259.4.A.b.iii, BCZR Section 259.4.B.2.b, BCZR Section 259.4.B.3.a and 259.4.B.3.b to allow a 20' setback from the rear property line in lieu of the required 40' setback for Lots 1 through 7 and Lots 52 through 60 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 8 through 51 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 61 through 64.
(V-11) Additional Variance petitions for a Variance from BCZR Section 259.4.A.b.iii, BCZR Section 259.4.B.2.b, BCZR Section 259.4.B.3.a and 259.4.B.3.b to allow a 20' setback from the rear property line in lieu of the required 40' setback for Lots 1 through 7 and Lots 52 through 60 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 8 through 51 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 61 through 64.
(V-12) Additional Variance petitions for a Variance from BCZR Section 259.4.A.b.iii, BCZR Section 259.4.B.2.b, BCZR Section 259.4.B.3.a and 259.4.B.3.b to allow a 20' setback from the rear property line in lieu of the required 40' setback for Lots 1 through 7 and Lots 52 through 60 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 8 through 51 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 61 through 64.

REQUEST FOR DEVIATION FROM RESIDENTIAL PERFORMANCE STANDARDS:

The Developer has requested a deviation from the Residential Performance Standards as found in Section 267 of the Baltimore County Zoning Regulations (BCZR). The Deviation Request is for a deviation from BCZR Section 259.4.B.2.b to allow a 20' setback from the rear property line in lieu of the required 40' setback for Lots 1 through 7 and Lots 52 through 60 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 8 through 51 and to allow a 20' setback from the rear property line in lieu of the required 50' setback for Lots 61 through 64.

PARKING DETAIL
N.T.S.

TRASH & MAIL DELIVERY PAD DETAIL
N.T.S.

PICKET FENCE DETAIL
N.T.S.

SCHEMATIC SIGN ELEVATION 'A'
N.T.S.

TYPICAL BUILDING ENVELOPE PER SECTION 259.4.B.3
N.T.S.

PROPOSED TYP. SIDE ENTRY GARAGE LOT LAYOUT DETAIL
N.T.S.

TYPICAL FRONT ELEVATION
N.T.S.

BUILDING FRONT TO PROPERTY LINE SETBACK
(SEE SECTION 259.4.C.3.c.4) (FRONT SETBACK IS MEASURED FROM A FRONT BUILDING FACE TO A PROPERTY LINE EITHER THAN A PUBLIC RIGHT-OF-WAY LINE)
N.T.S.

SIDE LOAD GARAGE N.T.S. FRONT LOAD GARAGE N.T.S.
TYPICAL ELEVATION
(MUST COMPLY WITH SECTION 259.4.C.3 & 4.D (DWELLING REMAINED MAIN DOORS FACE THE STREET)

FRONT LOAD GARAGE (TYPICAL) SIDE OR REAR-LOAD GARAGE (TYPICAL)
TYPICAL LOT LAYOUT N.T.S.
Note: Peach Blossom Boulevard is not a major or minor arterial or collector road.
Per Section 409 - 9' minimum is required for attached parking in front of a garage.

25 SQ. FT. MAX. AREA exterior illumination
10'-1" 6'-5"
Moores Meadows

SCALE: 1"=50'

VICINITY MAP
SCALE: 1"=2000'

RECOMMENDED AREAS OF CRITICAL STATE CONCERN
(Source: Baltimore County Environmental Features Plan)

SUITABLE OUTFALL STATEMENT

Stormwater Management Pond #1 receives runoff from two adjacencies, both of which drain to the Herring Run watershed. Areas flowing off-site have been identified as Areas 1 and 2 on the Drainage Area Map. Area 1 consists of 1.89 acres and Area 2 consists of 0.61 acres, for a total of approximately 2.5 acres. The natural grade of Area 1 will be divided proportionately at the rear property line of Lots 1 through 7 and Lots 52 through 60. Runoff from the rear yards of Lots 1 through 7 and Lots 52 through 60 will be directed to the proposed storm drain system and conveyed to the stormwater management facility. Runoff from the rear yards of Lots 8 through 51 and Lots 61 through 64 will be directed to the proposed storm drain system and conveyed to the stormwater management facility. Runoff from the remainder of Area 1 will be directed to the proposed storm drain system and conveyed to the stormwater management facility. Runoff from Area 2 will be directed to the proposed storm drain system and conveyed to the stormwater management facility.

Facility #2 will discharge to an existing roadside swale along Connection Avenue and eventually to the Herring Run watershed. Area 1 consists of 0.04 acres, for a total of approximately 0.04 acres. The natural grade of Area 1 will be divided proportionately at the rear property line of Lots 61 through 64. Runoff from the rear yards of Lots 61 through 64 will be directed to the proposed storm drain system and conveyed to the stormwater management facility. Runoff from the remainder of Area 1 will be directed to the proposed storm drain system and conveyed to the stormwater management facility. Runoff from Area 2 will be directed to the proposed storm drain system and conveyed to the stormwater management facility.

Based on the above information, I certify that the proposed development will not adversely affect the water quality downstream of the outfall. Therefore, we conclude that the proposed development will not violate the water quality standards as set forth in the Code of Maryland Regulations (COMAR) administered by the Department of Environment.

Fred S. Thaler, A.S.
Date 9/15/04

RESIDENTIAL BUILDING SETBACKS- D.R. ZONES HONEYGO OVERLAY DISTRICT

	DR. 3.5 H & DR. 5.5 H	DR. 2 H
From building face to:		
Side property line	10'	10'
Side setback on corner or reverse corner lot	40'	40'
Rear property line	40'	40'
From building face to:		
Side property line	50'	50'
Side setback on corner or reverse corner lot	40'	40'
Rear property line	50'	50'
From building face to:		
Side property line (Note: In the case that is not applicable on the same as a public or private road, the side yard setback shall be 30' from the side property line)	0' or 10'	0' or 10'
Front entry garage shall be:	9' min.	9' min.
Garage conversions shall be:	20' min.	20' min.

This table lists interior setback requirements for what is permitted by right. See Zoning Policy Manual and other applicable policies for additional requirements.
(Zoning Commissioner's Policy of Development Policies (ZCPDP) and Bill 70-94)

Driveways or typical house locations on single family lots shall be designed to provide adequate sight distance in accordance with the BCZR and should the intersection change the setbacks required by BCZR 259.4.C.3.c.4, must be met. DR Zones.

LEGEND

EXISTING
- TREE/ SHRUB/ HEDGE
- STONE CONTOUR
- ROAD
- FIRE HYDRANT
- SCREEN LINE
- SOILS
- SANITARY SEWER
- LIGHT
- TREELINE
- TREES
- STORM DRAIN
- UTILITY POLE
- WOOD CONTOUR
- WETLANDS
- WATER
- SPECIMEN TREE
- 100 LIMIT OF HEAVIER CLASS 4 WATER

PROPOSED
- PERIMETER BUFFER EASEMENT
- LIGHT
- FIRE HYDRANT
- WOOD CONTOUR
- SANITARY SEWER
- FOREST RETENTION
- SPECIMEN TREE
- WOOD CONTOUR
- STORM DRAIN
- FOREST CONSERVATION
- SHRUBS
- PLOT
- WATER
- LIMIT OF DISTURBANCE
- TREE LINE
- OPEN SPACE
- PROPOSED TREE

SOILS

SYMBOL	NAME	DRAINAGE	HIGH WATER TABLE	ERODIBILITY	AGRICULTURAL SOILS
AaB2	Aldino silt Loam, 3-8% slopes, moderately eroded	Well	Hight	Low	No HP
LaB	Lenoir silt loam, 0-8% slopes	Poor	Hight	Low	No HP
LaC2	Lenoir silt loam, 8-15% slopes, severly eroded	Poor	Hight	Severe	Yes-S
LgB	Loamy and craggy land, 0-8% slopes	Poor	Hight	Low	No HP
NeB2	Neshaminy silt loam, 3-8% slopes, moderately eroded	Well	Hight	Low	No HP
NeC2	Neshaminy silt loam, 8-15% slopes, moderately eroded	Well	Hight	Severe	Yes-HP

(*) DENOTES PRIME AND PRODUCTIVE SOILS

"THIS SITE IS IN THE HONEYGO OVERLAY DISTRICT 'H' AND IS WITHIN THE 'HONEYGO' AND 'BIRD RIVER' SUB-AREAS AND IS SUBJECT TO THE APPLICABLE HONEYGO AREA REGULATIONS, AS WELL AS OTHER BALTIMORE COUNTY ZONING REGULATIONS."

HEARING OFFICERS HEARING AND ZONING HEARING TO BE COMBINED

PROJECT NAME: MOORES MEADOWS
PLAN TITLE: DEVELOPMENT PLAN / LANDSCAPE PLAN & PLAT TO ACCOMPANY PETITION FOR VARIANCES
CONSOLIDATED DIST: 11
ELECTION DIST.: 11
PROJECT MANAGER: PAUL SMITH
FDH #: JG-728
APPROVALS:
CONTRACT DEVELOPER/PURCHASER:
E. JOPPA ROAD, LLC
8 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
PROJECT ADDRESS: 5228 E. JOPPA ROAD

REVISIONS:

D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS
LANDSCAPE ARCHITECTS
SURVEYORS
LAND PLANNERS
8 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
(410) 363-3555 FAX (410) 363-8611

DATE: 9/15/04
SCALE: 1"=50'
G.L.: 2'
PROJ. NO.: 24018
SHEET: 1 OF 1

MOORES MEADOWS
DEVELOPMENT PLAN / LANDSCAPE PLAN / PLAT TO ACCOMPANY PETITION FOR VARIANCES

OR 376-A

A. PREPARER OF PLAN

Name: D. S. THALER & ASSOC., INC.

Address: 7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
(410) 944-ENGR, (410) 944-3647

Date: 06/07/01

DEVELOPER/OWNER

Name: E. JOPPA ROAD, LLC

Address: 7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
(410) 944-ENGR, (410) 944-3647

Tax Account Numbers:

PARCEL	TAX ACCOUNT #	AREA
P. 1213	2000012115	0.61 AC±
P. 1042	1113076326	5.69 AC±
P. 946	1113076325	0.51 AC±
P. 65	2200023296	14.59 AC±
P. 1000	1111067427	8.00 AC±

B. ENVIRONMENTAL INFORMATION

Existing	Not Existing	Field Delineated	Field Verified	
●				Topography and street grades (minimum 5ft. contour appropriately labeled)
	●			Slopes greater than 25%
	●			100 year floodplain
●				Soils mapped according to Soil Survey, Baltimore County, Maryland.
●				Streams, seeps, ponds or other water bodies shown on site and within 200 ft. of site boundaries
	●			Wetlands
				Forest buffer limits including adjustments for steep slopes and/or erodible soils
●				Land cover on and within 200 ft. of site.
	●			Significant regulated plant or wildlife communities
	●		●	Wells on site and within 100 ft. of site
●			●	Septic on site and within 100 ft. of site
	●			Underground fuel tanks on site and within 100 ft. of site.
	●			Soil evaluation tests (perc tests) performed YES NO DATE

C. EXISTING BUILDING CONDITIONS

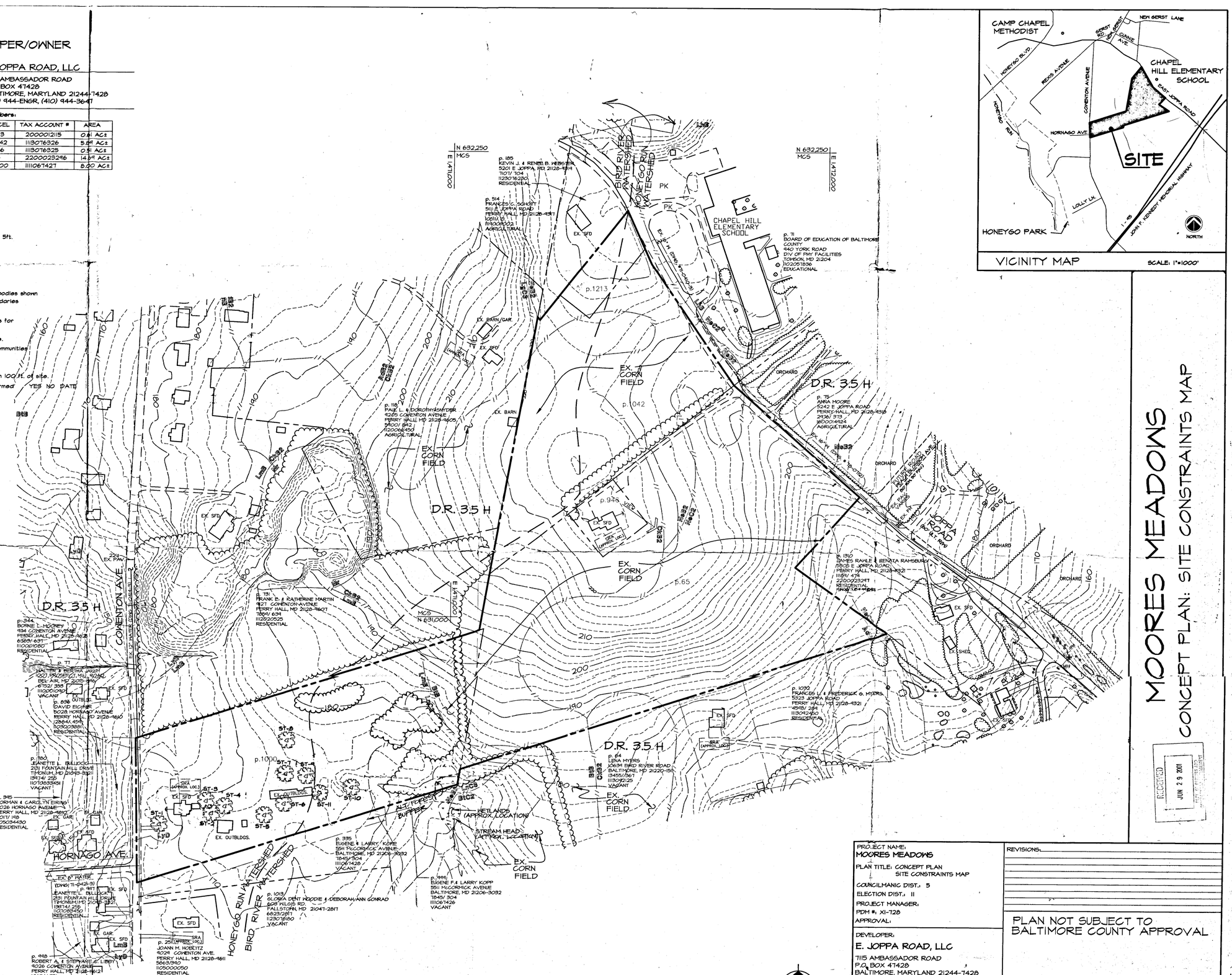
Existing	Not Existing	
●		Locations of existing buildings within 200 ft. of site boundaries
●		Location of existing roads within 200 ft. of site boundaries
	●	Designated historic sites
	●	Designated archeological
●		Significant views
●		Significant features (specimen trees, buildings, streetscape, etc.)
●		Land uses on and within 200 ft. of site
●		Road rights-of-way and easements

D. COUNTY ADOPTED PLANS

Existing	Not Existing	In Conformance	
●		●	Balto. Co. Master Plan 2010
	●		Community or Revitalization Plan(s)
	●		Recreation and Parks Plan
	●		Streetscape Plan
	●		Greenways Plan
	●		Other:

Specimen Tree List

Number	Scientific Name	Common Name	DBH
ST-1	Quercus alba	White Oak	37"
ST-2	Quercus alba	White Oak	38"
ST-3	Quercus alba	White Oak	36"
ST-4	Quercus alba	White Oak	31"
ST-5	Quercus alba	White Oak	37"
ST-6	Quercus alba	White Oak	32"
ST-7	Quercus palustris	Pin Oak	33"
ST-8	Quercus alba	White Oak	32"
ST-9	Quercus rubra	N. Red Oak	36"
ST-10	Quercus rubra	N. Red Oak	35"
ST-11	Quercus alba	White Oak	33"



VICINITY MAP SCALE: 1"=1000'

MOORES MEADOWS

CONCEPT PLAN: SITE CONSTRAINTS MAP

RECEIVED JUN 29 2001 BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

PROJECT NAME: MOORES MEADOWS

PLAN TITLE: CONCEPT PLAN SITE CONSTRAINTS MAP

COUNCILMANIC DIST.: 5

ELECTION DIST.: 11

PROJECT MANAGER:

PDM #: XI-728

APPROVAL:

DEVELOPER:
E. JOPPA ROAD, LLC
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
(410) 944-ENGR, (410) 944-3647

REVISIONS:

PLAN NOT SUBJECT TO BALTIMORE COUNTY APPROVAL

D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS LAND PLANNERS
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
(410) 944-ENGR, (410) 944-3647

DATE: 06/07/01
SCALE: 1"= 100'
C.I.: 2'
SHEET 1 OF 2

FILE NO. 2403C

LEGEND

EXISTING

TRACT BOUNDARY · ROAD · FIRE HYDRANT · EASEMENT · TREES · STORM DRAIN · UTILITY POLE
SOILS · SANITARY SEWER · LIGHT · CONTOUR · WETLANDS · WATER · SPECIMEN TREE

GENERAL NOTES

1. DEVELOPMENT NAME: MOORES MEADOWS
2. APPLICANT:
   ~~Joppa Road East, L.L.C.~~ E. Joppa Road, L.L.C.
   7115 Ambassador Road
   PO Box 47428
   Baltimore, MD 21244-7428
3. OWNERS:
   p. 1000
   Roy E. Jones
   P.O. Box 2963
   Conway, SC 29528-2963

   p. 65, 946 & 1042
   David M. & Sharon E. Meadows
   5225 E. Joppa Road
   Perry Hall, MD 21128-9319
4. PLAN PREPARED BY:
   D.S. Thaler & Associates, Inc.
   7115 Ambassador Road, P.O. Box 47428
   Baltimore, Maryland 21244-7428
   (410) 944-3647
   ATTN: Alan E. Scoll, R.L.A.
5. PROPERTY REFERENCES:

PARCEL	TAX ACCOUNT #	AREA (PER DEED)	DEED REF.	HELD SINCE	TAX MAP-GRID	ADC MAP
P. 1042	1113076326	5.84 Ac±	11101/308	1966	72 - 12	29-J7
P. 946	1113076325	0.51 Ac±	11101/308	1952	72 - 12	29-J7
P. 65	2200023296	14.69 Ac±	11101/308	1977	72 - 12	29-J7
P. 1000	1111067427	8.00 Ac±	6795/193	1984	72 - 18	29-H7

Boundary: D.S. Thaler & Associates, Inc. (November 2001)

Topography: Wings Aerial Mapping Co., Inc. (April, 2001) & D. S. Thaler & Assoc., Inc. (January, 2002) (On-site). Baltimore County - OIT GIS (Tile 072c2) (Off-site)

Utilities: Baltimore County Key Map (M-NE & S-SW) Baltimore County Design Drawings as noted.

Zoning: Baltimore County 200 Scale Zoning Map (2000) (NE 9-I & 10-I)

Soils: U.S.D.A. Baltimore County Soil Survey Manual (Map 37)

Wetlands: None on-site per American Land Concepts (June 2001) Off-site shown per American Land Concepts.

Floodplain: No 100 year floodplain exists on site (riverine or tidal)

Steep Slopes & Erodible Soils Analysis: D.S. Thaler & Associates, Inc. (November 2001) Approved by DEPRM, November 30, 2001

Forest Stand Delineation: American Land Concepts (June 2001) Approved by DEPRM July 26, 2001

Forest Conservation Worksheet: D.S. Thaler & Associates, Inc. (June 2001)

5. GENERAL DATA:
   Election District: 11 — Watershed: 6
   Census Tract: 4113.04 — Subsewershed: 20
   Councilmanic District: 5

School Information:

School District: Chapel Hill Elem./ Perry Hall Middle/ Perry Hall High (2001-2002)

	State Rated Capacity (SRC)	Enrollment Sept. 30th	Enrollment Total Projected	Projected # pupils for this project	Capacity Above	Capacity Below	Projected # pupils as a % of SRC
Elementary:	624	512	533	21	--	91	85.4%
Middle:	1,773	1,444	1,503	4	--	270	84.8%
High School:	2,230	2,103	2,117	14	--	113	94.9%

6. SITE INFORMATION:
   A. Acreage:
      Gross = 28.14 Ac±
      Net = 28.14 Ac±
   B. Existing Zoning: DR-3.5H @ 28.14 Ac±
   C. Density Calculations:
      Allowed: DR-3.5H @ 28.14 Ac± = 98 dwellings
      Proposed: 60 single family detached dwellings
   D. Parking:

	Single Family Homes	Pool (per County Code)
Required	2 spaces/unit	60 units x 4 bdrm x 25%/7 = 9 spaces
Proposed	2 spaces per unit	12 spaces

E. Open Space: "All Open Space shall be in compliance with the Local Open Space Manual, Latest Edition."

Required:
Active Open Space @ 650 SF/unit: 650 SF x 60 units = 0.895 Ac± or 39,000 SF±
Passive Open Space @ 350 SF/unit: 350 SF x 60 units = 0.482 Ac± or 21,000 SF±
Total: 1.377 Ac± or 60,000 SF±

Proposed:
Active Open Space: ~~1.43 Ac± or 62,161 SF±~~ 0.91 Ac± or 39,723 SF±
Passive Open Space: 0.3 Ac± or 13,204 SF±
Total: ~~1.73 Ac± or 75,365 SF±~~ Total: 1.21 Ac± or 52,927 SF±

'All Local Open Space shall be in compliance with the Local Open Space Manual, Latest Edition,' except as it may be modified and agreed to between the developer and the Department of Recreation and Parks.
'Temporary open space boundary markers, tree protection devices and four foot high snow fencing or approved equivalent shall be installed prior to any clearing or grading.'
'Within the area shown as open space, disturbance beyond that which is shown on the development plan shall not be allowed without prior approval from the Department of Recreation and Parks.'

F. Landscape requirements as specified in the Baltimore County Landscape Manual, adopted August 7, 2000 and as amended.
Note: Schematic Landscape Plan shown is preliminary in nature and is to show compliance with the Baltimore County Landscape Manual.
The Schematic Landscape Plan is subject to a Final Landscape Plan.

1 Planting Unit (P.U.) = 1 major deciduous tree (2-2-1/2" cal.) or
2 minor deciduous trees (1-1/2"cal.) or
2 evergreen trees (6' ht.) or
5 shrubs or (Class 'A': 24-30" ht.) (Class 'B': 18" ht.)
500 S.F. of ground cover or
10 herbaceous/perennial (1 gal.)* or
20 herbaceous/perennial (1 quart)
*To meet Class D screening requirements only.

	Required	Proposed
A. STREET FRONTAGE: (Condition A) Adjacent Road @ 1 PU/40 L.F.	1,270 LF±/40= 31.8 P.U.	31.8 P.U.
Interior Road @ 1 PU/20 L.F.	3,140 LF±/20= 157 P.U.	157 P.U.
B. PARKING LOTS: (Condition B) Perimeter Screening - Adjacent to public right-of-way Class B (minimum installed height of 18" for shrubs and 6' for evergreen trees) @ 1PU/15 L.F. of perimeter	120 LF±/15= 8 P.U.	8 P.U.
- Interior Road @ 1 PU/20 L.F.	40 LF±/20= 2 PU	2 P.U.
- Interior landscape @ 1 PU/12 spaces (7% of parking lot) Island/median: 9' minimum width Building face-to-face of curb: 6'	12 spaces/12= 1 PU	1 P.U.
B. REAR & SIDE YARD: (Condition B) Class 'A' screen (minimum installed height of 24"-30" for shrubs and 6' for evergreen trees) 1 PU/ 15 LF	195 LF±/15= 13 P.U.	13 P.U.
I. SWM (Condition 'I') Screen adjoining properties, public and private roads when slopes are > 4:1. Class 'A' screen 1 PU/ 15 LF of perimeter measures at toe of fill slopes and top of cut slopes - No woody vegetation within 15 feet of the toe of fill embankments - 10 foot landscape strip between no planting zone and property line - No woody vegetation within 50 feet of inlet structure - Fencing shall be located min 10' from R/W	785 LF±/15= 52.3 P.U.	52.3 P.U.
R. OPEN SPACE (Condition 'R') @ 1 PU/ 1,500 S.F. of required open space Credit may be given for retention of existing trees	60,000 SF±/1500= 40 P.U.	40 P.U.
TOTAL:	305.1 P.U.	305.1 P.U.

Credit may be applied for at time of Final Landscape Plan submittal.
The Final Landscape Plan will be approved prior to grading permit application.

7. UTILITIES: Public water and sewer will be provided. Onsite utilities will be ~~either public or private~~.
8. USE: The existing use is Residential and Agricultural. The proposed use is Residential.
9. ENVIRONMENTAL: There are no known critical areas, archaeological sites endangered species, or hazardous materials* on the site.
   *As known to the applicant; location and description of hazardous materials as defined by Section 7-101 of the Environmental Article of the annotated Code of Maryland, as from time to time amended.
10. AVERAGE DAILY TRIPS (ADTS): Average daily trips as calculated from the Baltimore County Comprehensive Manual of Development Policy. Single Family: 60 units x 10/unit = 600 ADTS
11. STORMWATER MANAGEMENT: Stormwater management will conform to Baltimore County Standards.
    Stormwater management facilities will be owned and maintained by the Home Owners Association or by Baltimore County.
    Stormwater management facilities will be screened from adjacent residential properties.
    Preliminary hydrology computations have been provided to DEPRM with the filing of the Development Plan.
    The Hydrology Report verifies that the outfalls are suitable.
    Slopes for the storm water management ponds shall not exceed a ratio of 3:1 per Section 259.9.C.8. (Baltimore County Zoning Regulations)
12. GRADING: Grading shown is schematic only.
13. VEGETATION: Existing vegetation will be retained in areas not needed for construction or grading. Existing vegetation consists of woods, scrub areas and lawn.
14. SIGHT LINES: Proposed sight lines are shown on the plan and will be cleared and graded and kept permanently clear to ensure unobstructed sight at all times.
15. STORAGE TANKS: There are no known underground storage tanks on site.

16. LIGHTING: Proposed lighting is shown as ▲. Lighting is schematic and subject to change.
17. No Zoning Case History has been found. This property as shown on the plan has been held intact since (see note #5) (according to deeds). No known part of the gross area of this property as shown on the plan has been utilized, recorded or represented as density or area to support any off-site dwellings. Existing buildings (as noted on the plan) to be removed will be razed by the developer prior to Record Plat.
18. Soil and Slope Mitigation Measures:
    The developer shall do the following in those areas where severe or moderate soil limitations are indicated and/or steep slopes occur:
    a. Insure that grading plans consider protection of these areas from increase in run-off. This may include draining roof down spouts and drives into storm drains.
    b. Stabilization of disturbed areas in accordance with approved sediment control practices.
    c. Consider geotechnical assistance with on-site inspectors as appropriate.
19. Sidewalks shall be provided on all public roads. (Subject to Waiver Request for Cowenton Avenue improvements).
20. Future signs shall conform with BCZR Section 450 and all zoning policies.
21. Building envelopes and/or footprints shown are for illustrative purposes and may not represent the final location for any particular dwelling. Final house location will be subject to the various standards and limitations illustrated by the details and charts included on this plan.
22. Existing septics (as noted) shall be field located, removed and backfilled by a licensed septic system contractor when sanitary sewer becomes available. There are no known existing wells on site. Existing residences are served by public water. The existing connections will be abandoned.
23. "Any Forest Conservation Easement or Forest Buffer Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas."
24. "There shall be no clearing, grading, construction or disturbances of vegetation in the Forest Conservation Easement or Forest Buffer Easement except as permitted by Baltimore County Department of Environmental Protection and Resource Management."
25. Proposed roads and utilities ~~may~~ will be public ~~or private~~.
26. Envelopes shown hereon are for the location of principal buildings only. Accessory structures and projections into yards may be constructed outside the envelope, but must comply with Sections 259.9, 301 and 400 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building permits.) Fencing shall comply with Section 259.9.C.6. (Baltimore County Zoning Regulations) (See "Applicable Excerpts" for additional information.)
27. Maximum building height allowed is 50 feet. Two story homes are generally proposed.
28. According to Glenn Hege, Office of Planning, MTA, the nearest MTA service to this site is at the intersection of Belair Road (US Route 1) and Joppa Road (bus line #15).
29. The "Recommended Areas of Critical State Concern" map included on this sheet indicates the general Perry Hall/White Marsh area as a "ground water problem area". No ground water extraction is proposed for this development.
30. A CIM was held on August 27, 2001. The minutes which identify all comments can be found in PDM File No. XI-837, on file in Room 123 of the Baltimore County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204.
31. There are no known limitations established by the Courts, County Board of Appeals, Planning Board or Zoning Commissioner or restrictive covenants recorded with individuals or groups which would limit proposed development on this site.
32. There are no buildings, properties or sites within or contiguous to the proposed development included on the Maryland Historical Trust Inventory of Historic Properties, Baltimore County Preliminary or Final Landmarks List, the National Register of Historic Places, the Maryland Archaeological Survey, nor any Baltimore County Historic District or National Register Historic District covering the proposed development.
33. A Hydrogeological Report and an Environmental Effects Report has been filed concurrently with this Development Plan.
34. A Preliminary Forest Conservation Plan and worksheet has been filed independently of this plan in accordance with Section 14-408. A Forest Retention Investigation Report has been filed.
35. This site does not lie within the limits of the Chesapeake Bay Critical Area. No additional information is requested by the Department of Environmental Protection and Resource Management to determine compliance with the Critical Area Local Protection Program pursuant to Section 26-442(a).
36. A Forest Buffer Variance request and Alternatives Analysis has been submitted to DEPRM.
37. Residential Transition Areas do not apply to residential uses in the H and H1 overlay Districts per Section 259.9.B.1. (BCZR)
38. The property is located in the Bird River Subarea and the Honeygo Subarea. All Honeygo density and area standards will be met or subject to a Public Zoning Hearing.
39. Proposed roads ~~may be private~~ will be public. Alleys are private. Highway widening for E. Joppa Road and Cowenton Avenue and all proposed public roads are indicated for dedication to Baltimore County will be offered for dedication at no cost to the County. The proposed roads are neither arterial or collector roads.
40. The Honeygo Overlay Design Guidelines were adopted by the County Council on 3-17-97. The Honeygo Regulations over ride conflicts with other Baltimore County Zoning Regulations.
41. All dwellings will meet the standards set forth in Section 259.9.A-G of BCZR and the Honeygo Overlay District Guidelines.
42. All fencing shall be in conformance with the Honeygo Overlay District Design Guidelines, and any fence more than three feet high shall also be setback at least five feet from any public right-of-way other than an alley. Landscaping shall be provided on the street side of the fence.
43. The Bureau of Traffic Engineering and Planning has confirmed that the subject site is within a traffic deficient area (Belair @ Ebenezer) per Keith Link; however, Development Plans are currently being accepted due to the recent opening of the extension of Honeygo Blvd.
44. Baltimore County Forest Conservation Easement and Forest Buffer Easement access shall be provided under a blanket easement, over any proposed private roads and as shown.
45. Proposed homes along Joppa Road shall have trash pickup and mail delivery along Joppa Road.
46. The private driveway access for lots 1-4 and 56-60 shall be constructed in accordance with Baltimore County Panhandle Standards and Specifications.
47. No utilities, whether public or private, including but not limited to, telephone, cable television, gas and electric, water, sewer and storm drains shall be placed or constructed on or within the areas labeled as open space without prior written consent from Baltimore County Department of Recreation and Parks.
48. The design, construction and installation of all amenities as shown on the development plan shall be the responsibility of the developer.
49. The swimming pool will be sized to, at a minimum, accommodate the 60 dwellings proposed hereon, in accordance with Baltimore County Health Department regulations.
50. "A variance was granted by the Baltimore County Department of Environmental Protection and Resource Management from Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains to allow a reduction of the forest buffer by establishing good vegetative cover on the existing poor pasture cover within the Forest Buffer Easement. Conditions were placed on this variance to reduce water quality impacts. These conditions include, but were not limited to permanent fencing and posting of signage along the Forest Buffer Easement as well as establishing both good vegetative cover and reforestation in the Forest Buffer Easement."
51. The sediment control/grading plan will not be approved until there is 80% ground coverage of grassy/herbaceous vegetation, at least two inches tall, in the mitigation area.
52. The Forest Buffer Easement shall be posted at 75' intervals with "Forest Buffer Do Not Disturb Signs" prior to issuance of any building permits for the adjacent lots.
53. A permanent fence shall be installed as shown along the limit of the Forest Buffer Easement prior to the issuance of any building permits for the adjacent lots.
54. There are no rights of way recorded along the applicable sections of Joppa Road and Cowenton Avenue, per the Baltimore County Bureau of Land Acquisition.

APPLICABLE EXCERPTS FROM THE HONEYGO DEVELOPMENT STANDARDS:

259.9 Development standards for H and H1 Overlay Districts. [Bill No. 176-1994]

These standards are intended to be additions to, modifications of and exceptions from the standards required by the underlying zoning classification on the land in the area. All conflicts are to be resolved in accordance with Subsection G of this section.

A. Uses. [Bill No. 73-1999]
1. Back-to-back group homes are not permitted.
2. Retail establishments exceeding 65,000 square feet are not permitted.
3. Accessory structures, including but not limited to solar panels, antennas, satellite dishes, trash pads and storage sheds are not permitted in the front yard of any principal use.

B. Bulk and area standards. [Bill Nos. 40-1997; 73-1999]
1. Except for nonresidential principal buildings or uses, and their accessory parking, the requirements of Section 1B01.1.B.1. (residential transition area) of these regulations do not apply.
3. Except for properties with approved development plans or CRG plans, the minimum width for any single-family detached lot is 85 feet as measured along both the front wall and rear wall of the dwelling unit.
4. Except as provided in this section, the provisions of Section 1B01.2.C apply to development in the overlay districts. In the districts, the minimum residential dwelling setbacks are:
   a. Ten feet from the right-of-way of a collector street, neighborhood street, alley or court as defined in the Honeygo Overlay District design guidelines;
   b. Forty feet from the right-of-way of a major or minor arterial or collector road, as defined in these regulations. (In this case, Joppa Road; except: see variance request V-3, for Lot 57 only);
   c. Not applied to porches or stoops in front yards; and
   d. Six feet from a side yard lot line that is not adjacent or the same as a public right-of-way if the dwelling unit is designed to have a side or rear entry garage. However, the sum of all side yard widths may not be less than 20 feet.
   e. Except for properties with approved development plans or CRG plans, 50 feet from the rear property line except for:
      (1) Unroofed additions, including patios and decks; and
      (2) Roofed additions which do not exceed in width 50% of the dwelling unit, and which do not extend more than 10 feet into the rear yard setback area.

C. Building and site design standards.
1. Panhandle lots are not permitted unless:
   a. The underlying zoning of the land is D.R.;
   b. No more than two lots share a driveway; and
   c. Lots exceed 30,000 square feet in area.
2. Reverse frontage lots are not permitted.
3. [Bill No. 73-1999]
   a. Except for properties with approved development plans or CRG plans, which shall be allowed front entry garages in accordance with the regulations in effect prior to January 14, 1998, a front entry garage shall be recessed at least eight feet behind the front facade of the dwelling. A two-car garage facing the street shall have two individual doors separated by a divider. The front facade of all garages, including the divider and not including the garage doors, shall be constructed of the same approved materials as the front facade of the building. (Approved materials are brick and stone.)
   b. The exterior surface of a side-entry garage, not including the garage doors, which faces the front of the dwelling shall be constructed of the same approved materials as the front facade of the building. (Approved materials are brick and stone.)
4. The exterior surface on the front facade of all residential dwellings, not including the garage doors, shall consist of at least 70% of approved materials. [Bill Nos. 40-1997; 73-1999]. (Approved materials are brick and stone.)
5. Building exteriors shall be of finished quality and similar architectural treatment, as defined in the Honeygo District Design Guidelines, to grade or, where that is not feasible, shall be finished to within 12 inches of grade on all sides of the building.
6. All fencing shall be in conformance with the Honeygo Overlay District Design Guidelines, and any fence more than three feet high shall also be setback at least five feet from any public right-of-way other than an alley.
7. Roofs shall be pitched in accordance with the Honeygo Overlay District Design Guidelines. (That is a minimum slope of 6:12 per p.8, "Building Design".)
8. Stormwater management pond slopes, where management is not provided through a regional facility, shall not exceed a ratio of 3:1.
9. Rooftop equipment shall be screened so it is not visible from the ground level of adjacent buildings.
10. All inside group townhouses shall be at least 20 feet wide and all end of group townhouses shall be at least 22 feet wide. [Bill No. 40-1997].

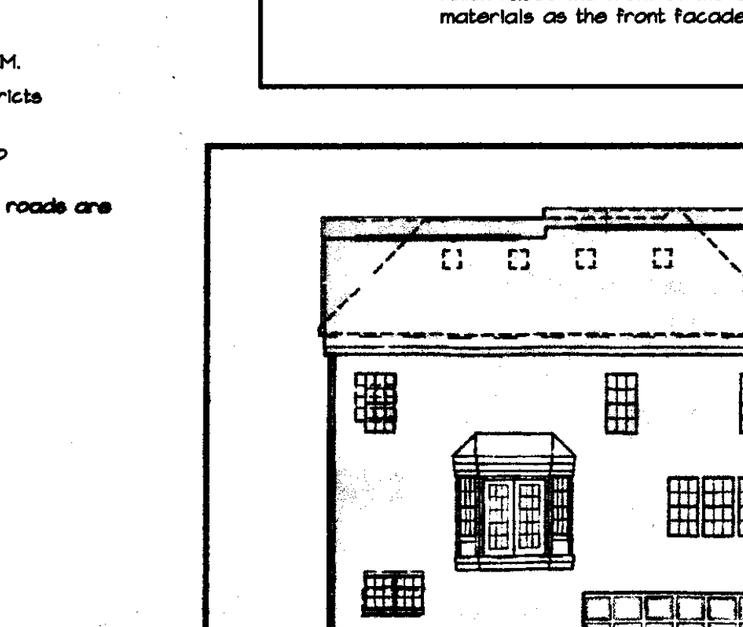
D. Signage standards. Signs are permitted, subject to Sectin 450. [Bill No. 84-1997]

E. Open space standards.
2. Stream buffers, wetlands and steep slopes contiguous to streams and regulated by the Department of Environmental Protection and Resource Management (DEPRM) for environmental purposes shall be dedicated to Baltimore County, recorded by the county government among the land records of Baltimore County, and not used to meet the local open space requirements of the underlying zones.
4. At least 25% of the perimeter of any open space must abut public rights-of-way or fronts of buildings, and such open space shall be landscaped.
5. The county may accept a fee in lieu of providing required open space when such fee is in conformance with these regulations. The fee shall be established annually by the Baltimore County Planning Board in accordance with the procedure set forth in Section 15-9 of the Baltimore County Code, 1988 Edition, as revised. [Bill No. 40-1997]
7. Forest conservation areas and wetlands not contiguous with streams shall not be used to meet the local open space requirements of the underlying zones.

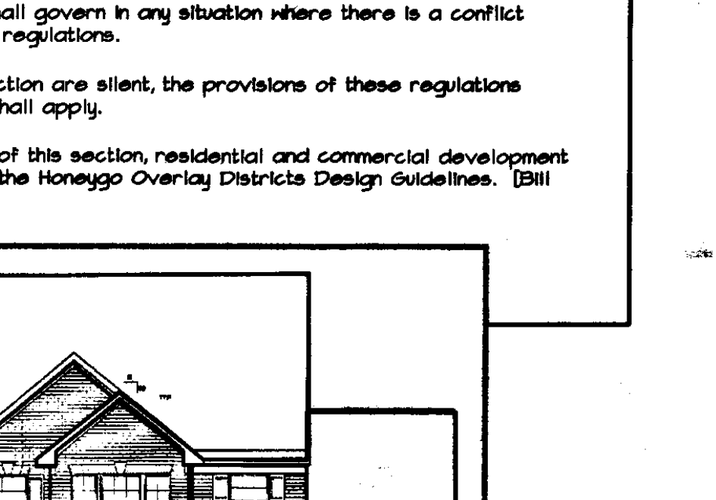
F. Parking standards
1. The provisions of Section 440.6 of these regulations apply except as provided in this subsection. [Bill No. 73-1999]
2. The provisions of Section 102.4 of these regulations do not apply and any lot may have sole access to an alley with a right-of-way of at least 16 feet.
3. Off-street parking bays are not permitted.
4. A cul-de-sac or court shall not exceed 400 feet in length unless, as determinded by the Director of Environmental Protection and Resource Management, a longer length is needed to prevent encroachment on protected areas.
5. All streets shall have sidewalks and shall be planted with trees according to the standards for the street classification, as defined by the Honeygo Overlay District Design Guidelines.

G. Application.
1. The provisions of this section shall govern in any situation where there is a conflict between this section and other regulations.
2. Where the provisions of this section are silent, the provisions of these regulations governing the underlying zone shall apply.
3. In addition to the requirements of this section, residential and commercial development in the area shall be subject to the Honeygo Overlay Districts Design Guidelines. [Bill No. 40-1997]

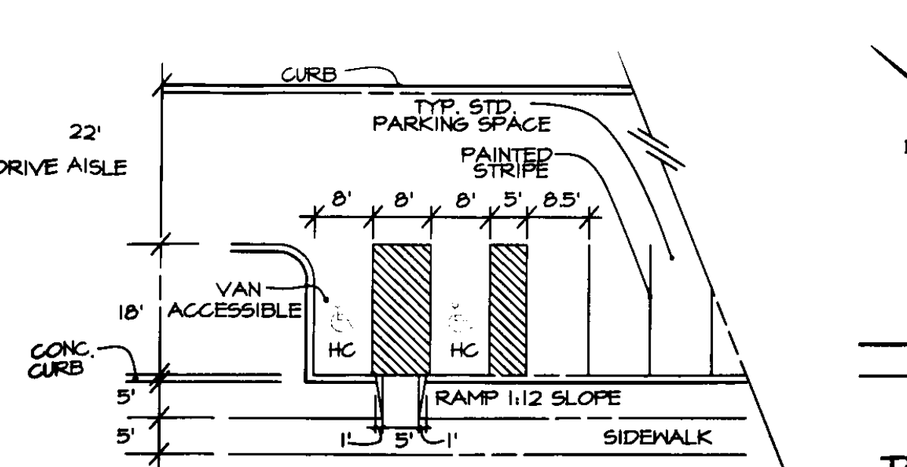
THE DEVELOPMENT STANDARDS AS INDICATED IN SECTION 259.9.C. (ABOVE) MUST BE INITIALED AND DATED BY THE OFFICE OF PLANNING ON BUILDING PERMIT PLANS.



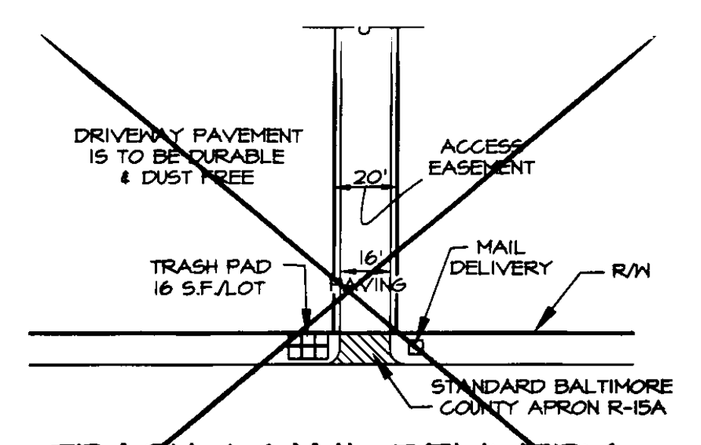
REAR ELEVATION WITH POSSIBLE GARAGE REAR ENTRY
N.T.S.
(MUST COMPLY WITH SECTION 259.9.C.5.)



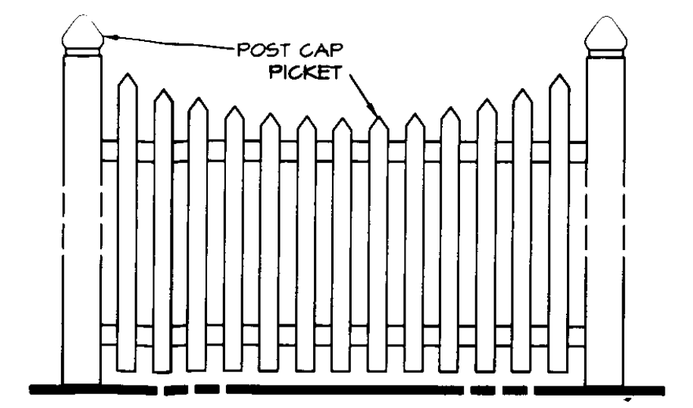
FRONT LOAD GARAGE
N.T.S.
(MUST COMPLY WITH SECTION 259.9.C.3.a, C.3.b, C.4 AND C.5 : APPROVED MATERIALS ARE DEFINED AS BRICK AND STONE.)



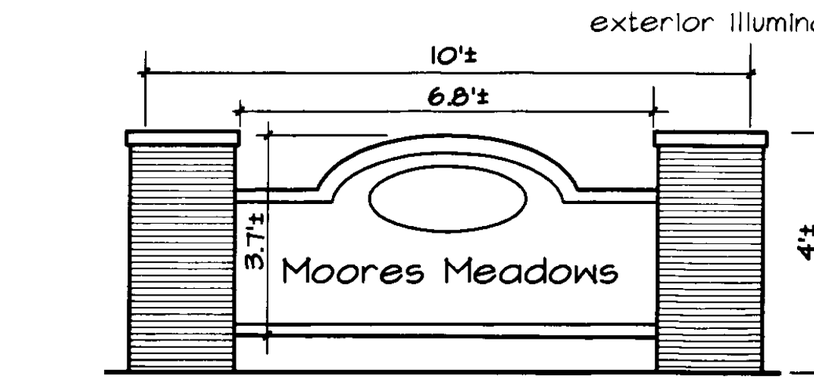
PARKING DETAIL
N.T.S.



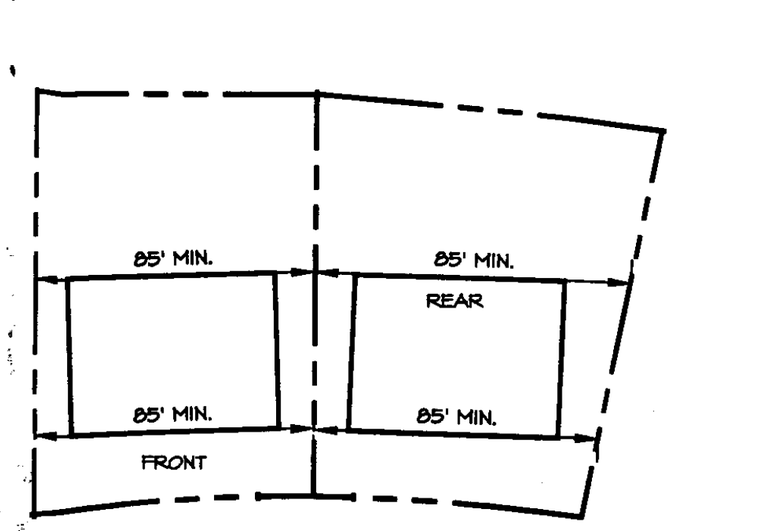
~~TRASH & MAIL DELIVERY PAD DETAIL~~
~~N.T.S.~~



PICKET FENCE DETAIL
N.T.S.

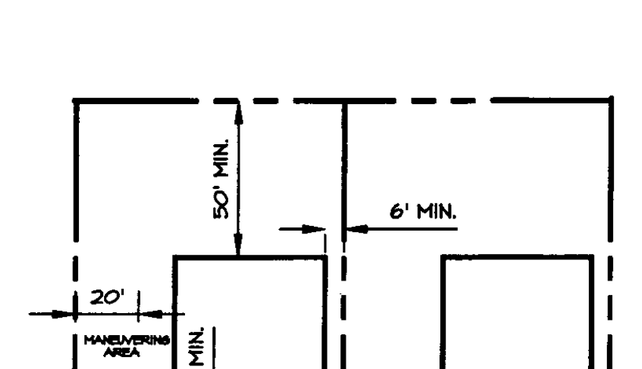


SCHEMATIC SIGN ELEVATION 'A'
N.T.S.

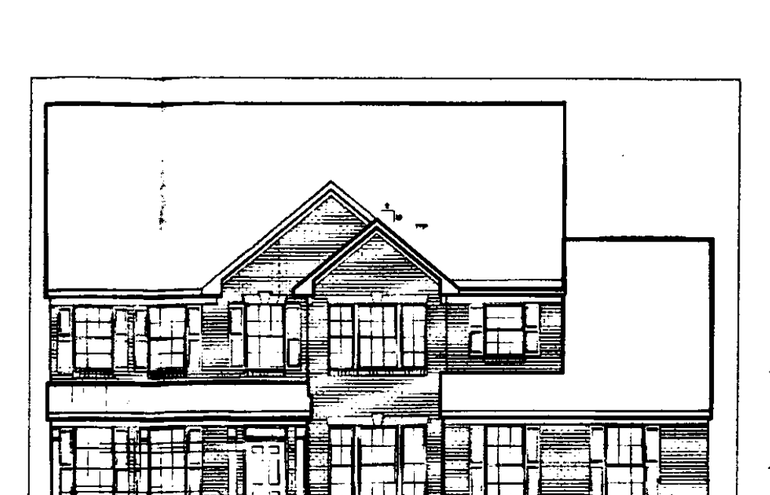


TYPICAL BUILDING ENVELOPE PER SECTION 259.9.B.3
N.T.S.

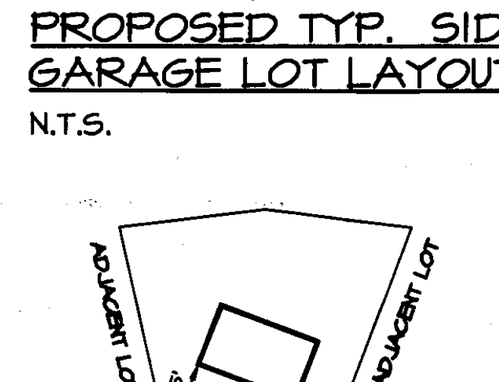
NOTE THAT REGARDLESS OF THE ENVELOPE SHOWN ON THE PLAN (IN ACCORDANCE WITH THE HONEYGO SETBACK REQUIREMENTS), THE FINAL LOCATION OF ALL HOUSES MUST MEET THE MINIMUM LOT WIDTH REQUIREMENTS IN SECTION 259.9.B.3 BY MEASURING IN IN ACCORDANCE WITH THE DIAGRAM ABOVE. FINAL HOUSE ORIENTATIONS AND LOCATIONS WITHIN THE LOTS MAY VARY AS LONG AS ALL SETBACKS AND LOT WIDTH REQUIREMENTS ARE MET.



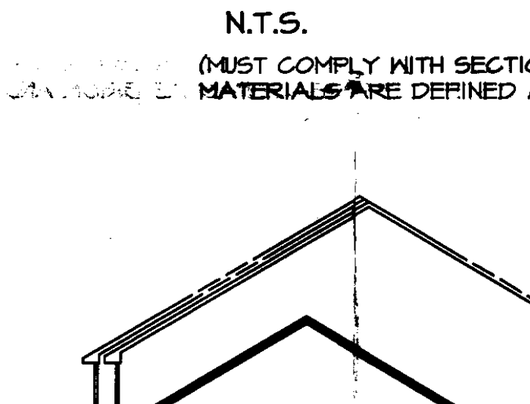
PROPOSED TYP. SIDE ENTRY GARAGE LOT LAYOUT DETAIL
N.T.S.



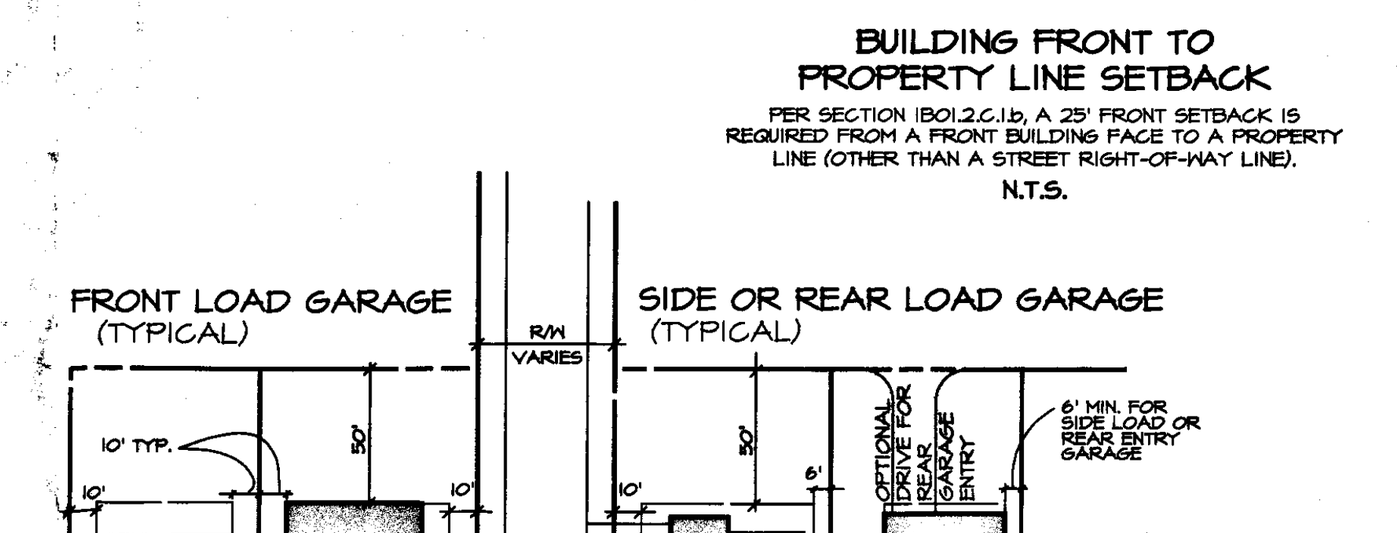
TYPICAL FRONT ELEVATION
N.T.S.
(MUST COMPLY WITH SECTION 259.9.C.4 AND C.5 : APPROVED MATERIALS ARE DEFINED AS BRICK AND STONE.)



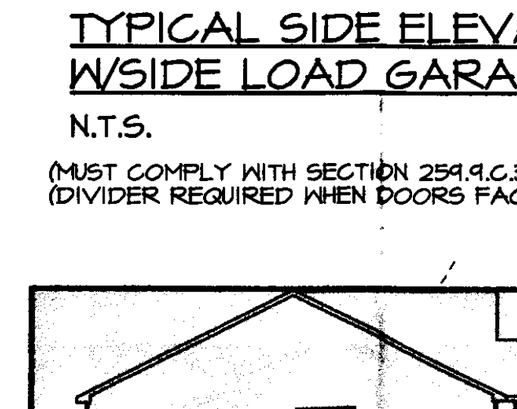
BUILDING FRONT TO PROPERTY LINE SETBACK
PER SECTION 1B01.2.C.1.b, A 25' FRONT SETBACK IS REQUIRED FROM A FRONT BUILDING FACE TO A PROPERTY LINE (OTHER THAN A STREET RIGHT-OF-WAY LINE).
N.T.S.



TYPICAL SIDE ELEVATION W/SIDE LOAD GARAGE
N.T.S.
(MUST COMPLY WITH SECTION 259.9.C.3. a & b)
(DIVIDER REQUIRED WHEN DOORS FACE THE STREET)



TYPICAL LOT LAYOUT N.T.S.
Note: Peach Blossom Boulevard is not a major or minor arterial or collector road.
* Per Section 409 : 18' minimum is required for offstreet parking in front of a garage.



OTHER SIDE ELEVATION
N.T.S.
(MUST COMPLY WITH SECTION 259.9.C.5.)

PUBLIC WORKS WAIVER REQUEST

~~(W-1) To waive the required improvements to Cowenton Avenue.~~

(W-2) To permit the use of concrete mountable curb and gutter in lieu of standard concrete curb & gutter.

REQUESTS FOR VARIANCES:

(V-1) Petitioner hereby petitions for a Variance from the threshold limits contained in Baltimore County Zoning Regulations ("BCZR") Section 259.7, pursuant to BCZR Section 259.8 and BCZR Section 4A02.4.G (incorrectly referred to as "4A02.4.F" in Section 259.8), to permit the issuance of building permits for construction pursuant to the Moores Meadows Development Plan.

(V-2) Petitioner hereby petitions for a Variance from BCZR Section 259.7.5 to allow all dwellings within the Bird River Subarea to connect to the Honeygo Run sewer interceptor.

(V-3) Petitioner hereby petitions for a Variance from BCZR Section 259.9.B.4.b to allow a 25' setback from E. Joppa Road in lieu of the required 40' setback for Lot #57.

(V-4) Petitioner hereby petitions for a Variance from BCZR Section 259.9.B.4.e to allow a 15' setback from the rear property line in lieu of the required 50' setback for Lot #57.

(V-5) Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 26 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for the cul-de-sac/courts in lieu of providing through connection to adjacent properties.

(V-6) Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and pp. 29 and 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for mountable curbs in lieu of the requirement for standard vertical curbs.

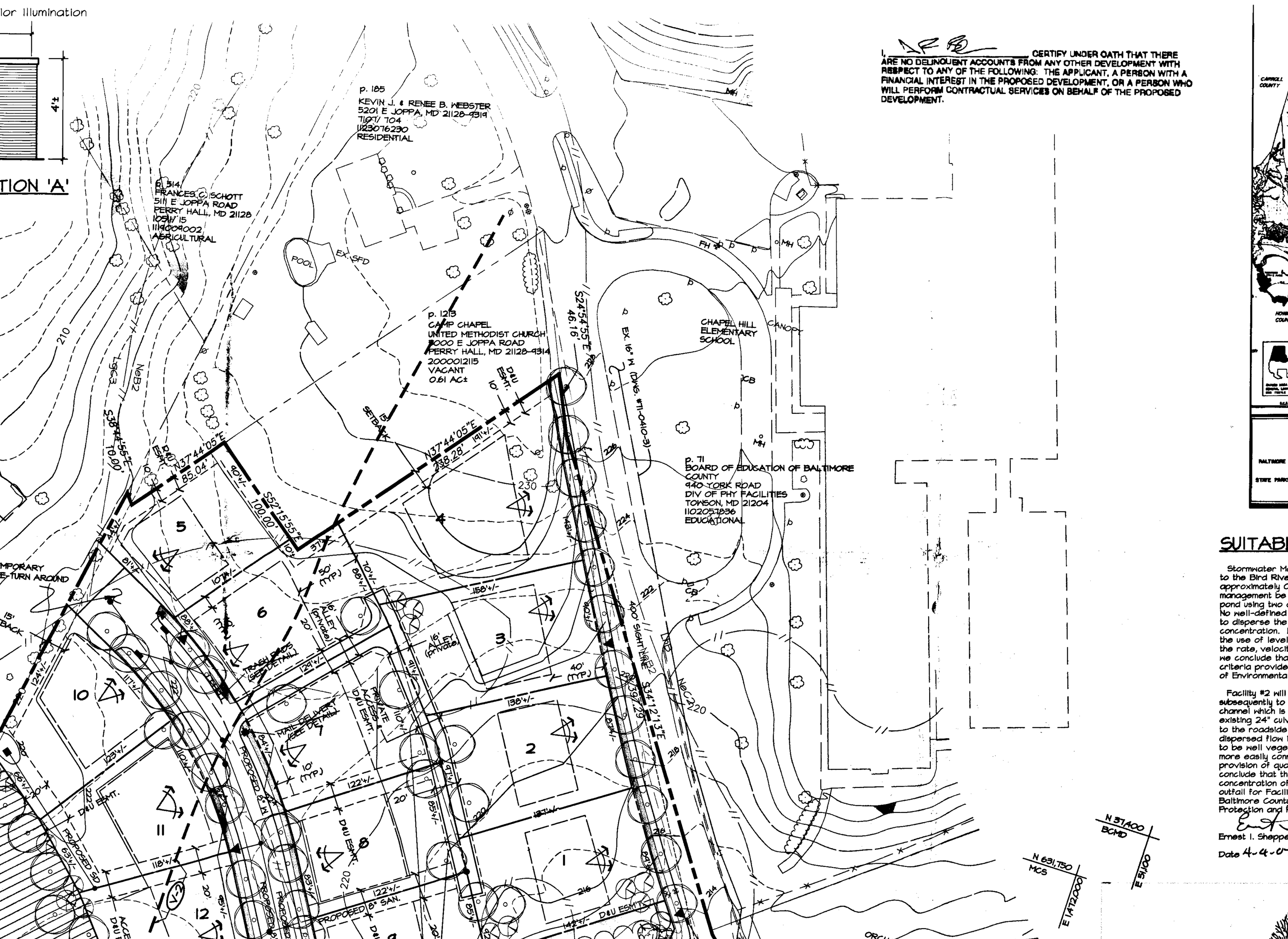
(V-7) Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for one two cul-de-sac/courts in lieu of the requirement that courts only occur for special design situations and between environmentally sensitive land areas.

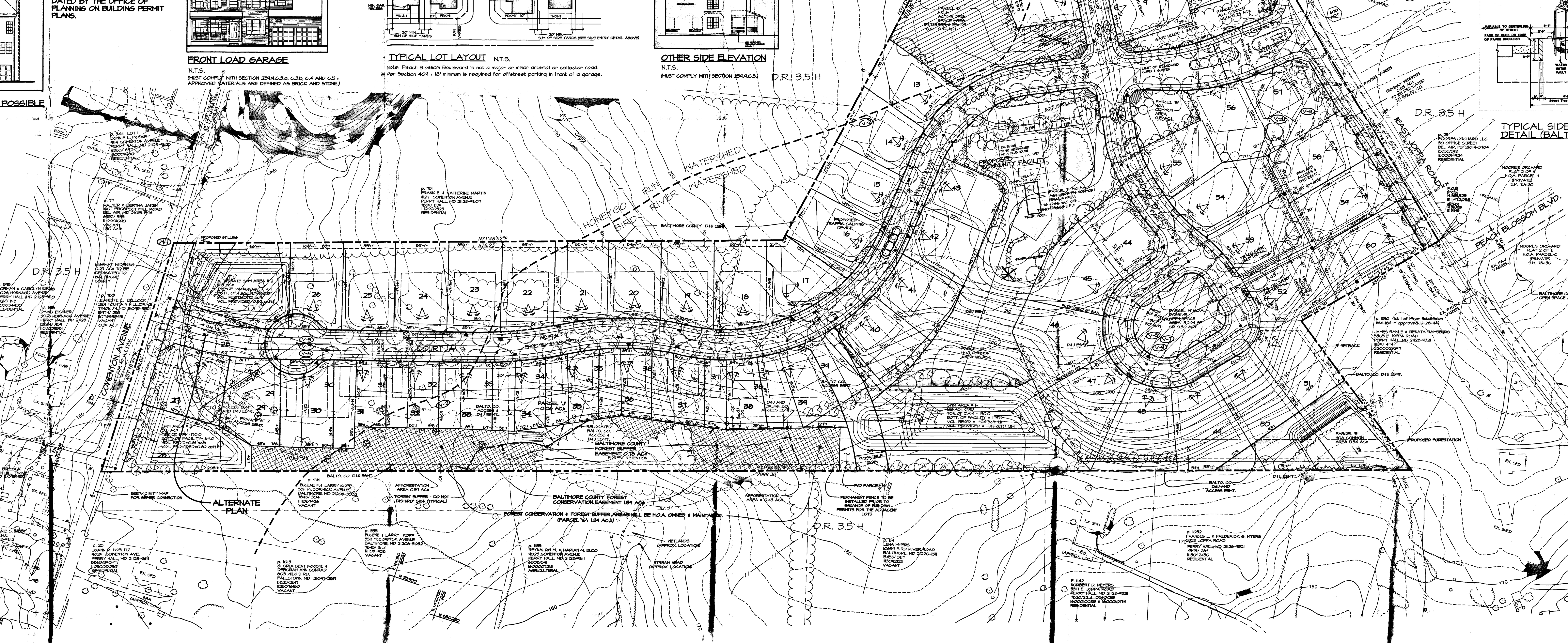
~~(V-8) Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for a court without a landscaped median at the turn-around section of the court.~~

(V-9) Petitioner hereby petitions for a Variance from BCZR Section 259.9.F.4, BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow ~~two~~ one courts/cul-de-sacs in excess of 400' in length from the center line of the adjoining street.

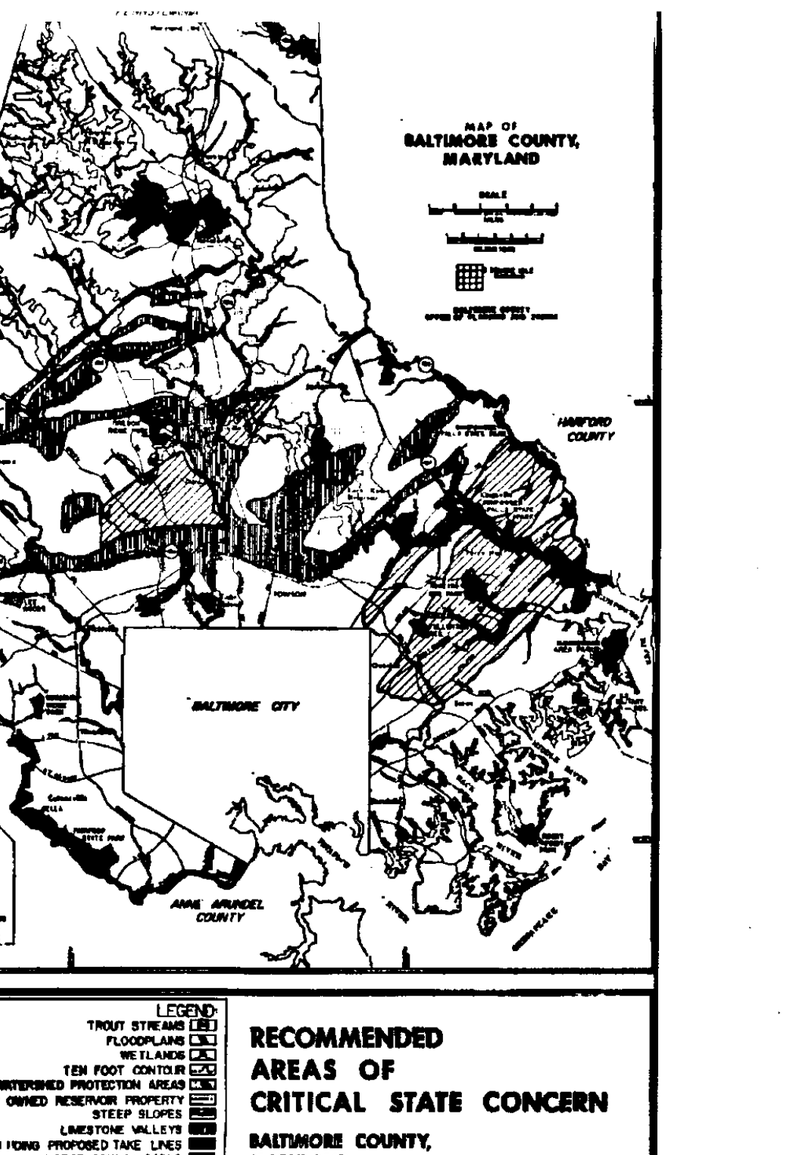
~~"REQUEST FOR DEVIATION FROM RESIDENTIAL PERFORMANCE STANDARDS".~~

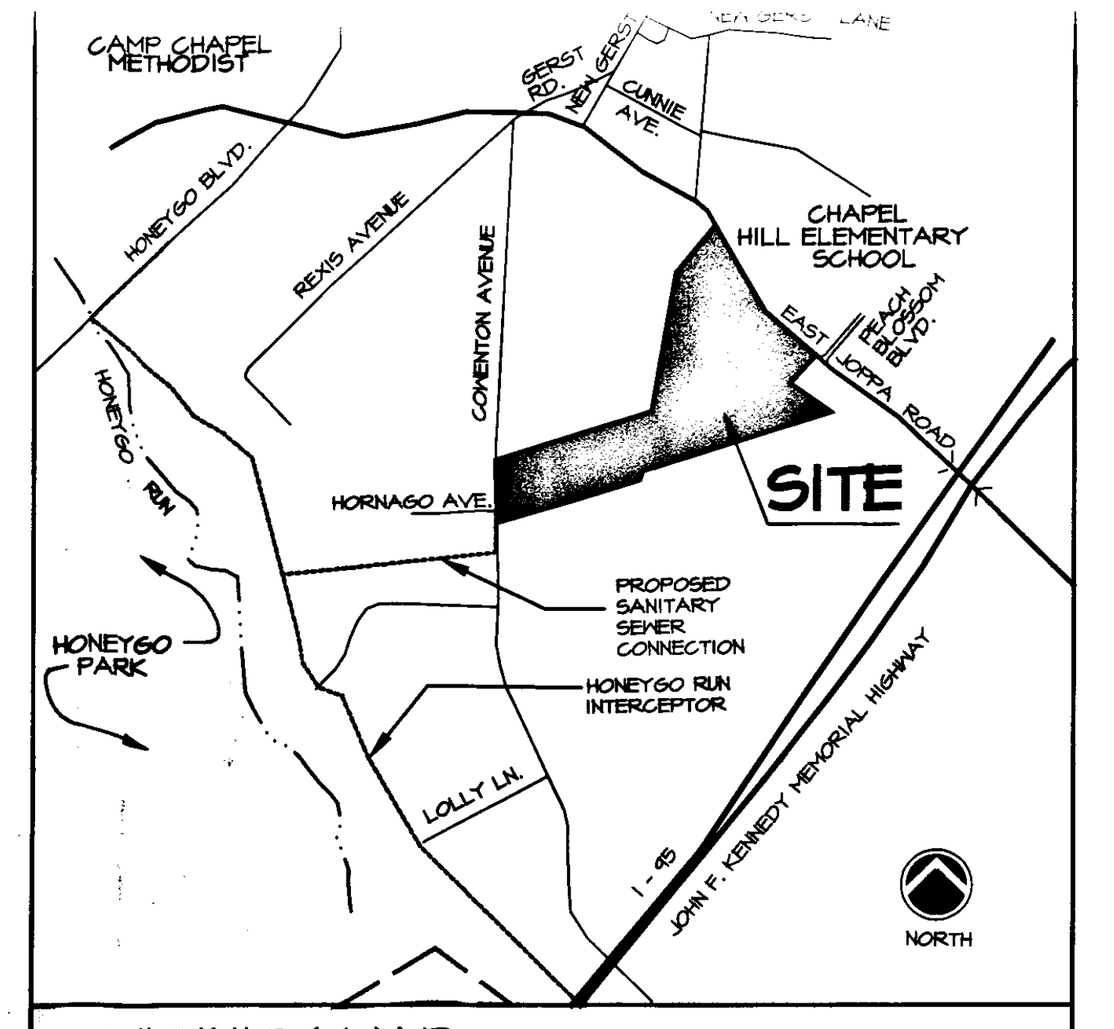
~~"This Development Plan meets the Residential Performance Standards set forth in Section 260 of the Baltimore County Zoning Regulations ("BCZR") (as revised per Bill No. 58-01) with the exception of the standard set forth within BCZR Section 260.4.B for which we are seeking a deviation pursuant to BCZR Section 260.1.C.3 and Section 260.1.B.4".~~





I, ________ CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FROM ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.





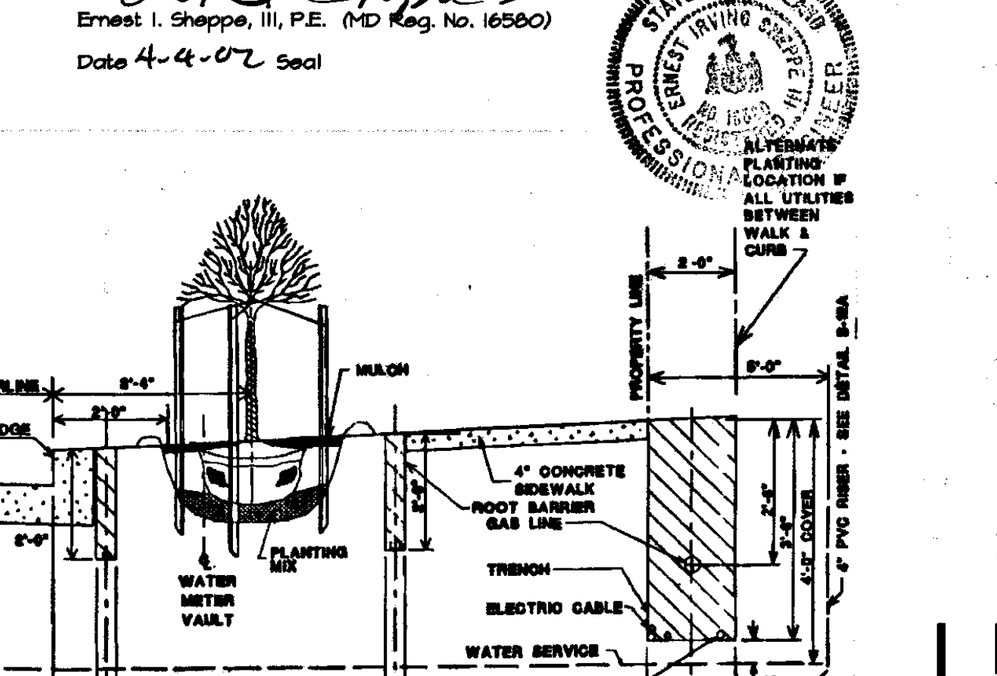
VICINITY MAP — SCALE: 1"=1000'

SUITABLE OUTFALL STATEMENT

Stormwater Management Pond #1 manages runoff from two sub-areas, both of which drain to the Bird River. A severe flooding problem has been identified along MD Route 7, approximately 0.7 miles downstream of the project,mandating that 2, 10, and 100-year management be provided. The discharges from Pond #1 will be divided proportionally at the pond using two outfall structures to mimic the predevelopment discharges to each outfall. No well-defined channels are present onsite at the outfalls, so level spreaders will be used to disperse the discharge and mimic the current conditions with respect to degree of concentration. With the provision of onsite 2, 10, and 100-year management, together with the use of level spreaders at the outfalls, we anticipate no significant adverse change in the rate, velocity, or degree of concentration of the runoff after development. Therefore, we conclude that the proposed outfalls for Pond #1 constitute suitable outfalls based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

Facility #2 will discharge to an existing roadside swale along Cowenton Avenue and subsequently to a 24" CMP culvert beneath this roadway. This culvert outlets to a masonry channel which is an unnamed tributary of Honeygo Run. Due to the limited capacity of the existing 24" culvert, 2, 10, and 100-year management will be provided. Facility #2 will outlet to the roadside ditch via a proposed stilling well (a Y-1 inlet) to create a very low velocity dispersed flow into the existing roadside swale, which was examined in the field and found to be well vegetated and stable. The use of a stilling well will also allow the system to be more easily connected to a future storm drainage system in Cowenton Avenue. With the provision of quantitative control and an effective stilling well as described above, we conclude that there will be no significant adverse change in the rate, velocity, or degree of concentration of the runoff after development. Therefore, we conclude that the proposed outfall for Facility #2 constitutes a suitable outfall based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

Ernest I. Sheppe, III, P.E. (MD Reg. No. 16580)
Date 4-4-02 Seal



TYPICAL SIDEWALK/STREET TREE DETAIL (BALTO. CO. PLATE G-5A)

RESIDENTIAL BUILDING SETBACKS- D.R. ZONES HONEYGO OVERLAY DISTRICT	D.R. 3.5 H & D.R. 3.5 HI	D.R. 2 H
From building face to: right-of-way of a collector street, neighborhood street, alley or court. (not applied to porches or stoops in front yard)	10'	10'
From building face to right-of-way of a major or minor arterial or collector road. (not applied to porches or stoops in front yard)	40'	40'
From building face to: Rear property line (Except for unroofed additions including patios and decks and roofed additions which do not exceed in width 50% of the dwelling unit and which do not extend more than 10 feet into the rear yard setback area.)	50'	50'
From building face to: The side yard lot line that is not adjacent or the same as a public right of way if the dwelling unit has a side or rear entry garage.	6' (sum of all side yards widths may not be less than 20')	6' (sum of all side yards setbacks may not be less than 20' between buildings)
Front entry garage shall be recessed behind the front facade of the dwelling.	8' min.	8' min.

This table lists minimum setback requirements for urban residential use. For a fuller explanation of these and other requirements, consult the Comprehensive Manual of Development Policies (CMDP) and Bill 73-99.

Envelopes or typical house locations on single family lots dictate a specific orientation which allows compliance with the BCZR and should the orientation change, the setbacks required by Section 259.9. must be met. (DR Zones)

LEGEND

EXISTING: TRACT BOUNDARY; INTER. CONTOUR; ROAD; FIRE HYDRANT; ZONING LINE; SOILS; SANITARY SEWER; LIGHT; EASEMENT; TREES; STORM DRAIN; UTILITY POLE; INDEX CONTOUR; WETLANDS; WATER; SPECIMEN TREE; LIMIT OF MOUNTABLE CURB & GUTTER

PROPOSED: FOREST BUFFER EASEMENT; FIRE HYDRANT; LIGHT; MAJOR DECIDUOUS TREE; INDEX CONTOUR; SANITARY SEWER; FOREST RETENTION; MINOR DECIDUOUS TREE; INTER. CONTOUR; STORM DRAIN; REFORESTATION/ AFFORESTATION; EVERGREEN TREE; ADT; WATER; H.O.A. ~~OPEN SPACE~~ COMMON AREA; SHRUBS; ~~ACTIVE~~ OPEN SPACE; PROPOSED TREELINE

SOILS					
SYMBOL	NAME	HOMES W/ BSMNT.	HOMES W/O BSMNT.	STREETS & PARKING LOTS	AGRICULTURAL CAPABILITY
AdB2	Aldino Silt Loam, 3-8% slopes, moderately eroded	Mod.	Slight	Mod.	IIe-14*
LmB	Lenoir silt loam, 0-5% slopes	Severe	Severe	Severe	IIIw-5*
LnC3	Lenoir silty clay loam, 5-12% slopes, severly eroded	Severe	Severe	Severe	IVe-4
LyD	Loamy and clayey land, 5-15% slopes	Severe	Severe	Severe	VIe-2
NeB2	Neshaminy silt loam, 3-8% slopes, moderately eroded	Slight	Slight	Mod.	IIe-4*
NeC2	Neshaminy silt loam, 8-15% slopes, moderately eroded	Mod.	Mod.	Severe	IIIe-4*

(*) DENOTES PRIME AND PRODUCTIVE SOILS

"THIS SITE IS IN THE HONEYGO OVERLAY DISTRICT 'H' AND IS WITHIN THE 'HONEYGO' AND 'BIRD RIVER' SUB-AREAS AND IS SUBJECT TO THE APPLICABLE HONEYGO AREA REGULATIONS, AS WELL AS OTHER BALTIMORE COUNTY ZONING REGULATIONS."

HEARING OFFICERS HEARING AND ZONING HEARING TO BE COMBINED

REDLINE PLAN: 4-4-02

PROJECT NAME: MOORES MEADOWS
PLAN TITLE: DEVELOPMENT PLAN & SCHEMATIC LANDSCAPE PLAN & PLAT TO ACCOMPANY PETITION FOR VARIANCES
COUNCILMANIC DIST.: 5
ELECTION DIST.: 11
PROJECT MANAGER: Walt Smith
PDM #: XI-728
APPROVAL:

REVISIONS:

Developer Exhibit No. 5

CONTRACT DEVELOPER/~~OWNER~~ PURCHASER
JOPPA ROAD EAST, LLC.
~~E. JOPPA ROAD, LLC~~
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428

PROJECT ADDRESS: 5225 E. JOPPA ROAD

NORTH MCS
SCALE: 1"=50'

D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS — SURVEYORS
LANDSCAPE ARCHITECTS — LAND PLANNERS
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
(410) 944-ENGR, (410) 944-3647

DATE: 2-8-02
SCALE: 1"=50'
C.I.: 2'
PROJ. NO.: 2403E
SHEET 1 OF 1

MOORES MEADOWS
REDLINE PLAN: 4-4-02
DEVELOPMENT PLAN & SCHEMATIC LANDSCAPE PLAN & PLAT TO ACCOMPANY PETITION FOR VARIANCES

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MOORES MEADOWS
DEVELOPMENT PLAN & SCHEMATIC LANDSCAPE PLAN & PLAT TO ACCOMPANY PETITION FOR VARIANCES

1. DEVELOPMENT NAME: MOORES MEADOWS
2. APPLICANT:
E. Joppa Road, L.L.C.
7115 Ambassador Road
PO Box 47428
Baltimore, MD 21244-7428
3. OWNERS:
p. 1000
Roy E. Jones
P.O. Box 2463
Conway, SC 29528-2463

p. 65, 946 & 1042
David M. & Sharon E. Meadows
5225 E. Joppa Road
Perry Hall, MD 21128-9319
4. PLAN PREPARED BY:
D.S. Thaler & Associates, Inc.
7115 Ambassador Road, P.O. Box 47428
Baltimore, Maryland 21244-7428
(410) 944-3647
ATTN: Alan E. Scoll, R.L.A.
5. PROPERTY REFERENCES:

PARCEL	TAX ACCOUNT #	AREA (PER DEED)	DEED REF.	HELD SINCE	TAX MAP-GRID	ADC MAP
P. 1042	1113078326	5.89 Ac±	11101/308	1966	72 - 12	29-J7
P. 946	1113076325	0.51 Ac±	11101/308	1952	72 - 12	29-J7
P. 65	2200023296	14.69 Ac±	11101/308	1977	72 - 12	29-J7
P. 1000	1111067427	8.00 Ac±	6745/193	1984	72 - 18	29-H7

Boundary: D.S. Thaler & Associates, Inc. (November 2001)
Topography: Kings Aerial Mapping Co., Inc. (April, 2001) & D. S. Thaler & Assoc., Inc. (January, 2002) (On-site). Baltimore County - OIT GIS (Tile 072c2) (Off-site)
Utilities: Baltimore County Key Map (M-NE & S-SW) Baltimore County Design Drawings as noted.
Zoning: Baltimore County 200 Scale Zoning Map (2000) (NE 9-I & 10-I)
Soils: U.S.D.A. Baltimore County Soil Survey Manual (Map 37)
Wetlands: None on-site per American Land Concepts (June 2001) Off-site shown per American Land Concepts.
Floodplain: No 100 year floodplain exists on site (riverine or tidal)
Steep Slopes & Erodible Soils Analysis: D.S. Thaler & Associates, Inc. (November 2001) Approved by DEPRM, November 30, 2001
Forest Stand Delineation: American Land Concepts (June 2001) Approved by DEPRM July 26, 2001
Forest Conservation Worksheet: D.S. Thaler & Associates, Inc. (June 2001)

5. GENERAL DATA:
Election District: 11 — Watershed: 6
Census Tract: 4115.04 — Subsewershed: 20
Councilmanic District: 5

School Information:
School District: Chapel Hill Elem./ Perry Hall Middle/ Perry Hall High (2001-2002)

	State Rated Capacity (SRC)	Enrollment Sept. 30th	Enrollment Total Projected	Projected # pupils for this project	Capacity Above	Capacity Below	Projected # pupils as a % of SRC
Elementary	624	512	533	21	--	91	85.4%
Middle	1,778	1,494	1,503	9	--	270	84.8%
High School	2,230	2,103	2,117	14	--	113	94.9%

6. SITE INFORMATION:
A. Acreage:
Gross = 28.14 Ac±
Net = 28.14 Ac±
B. Existing Zoning: DR-3.5H @ 28.14 Ac±
C. Density Calculations:
Allowed: DR-3.5H @ 28.14 Ac± = 98 dwellings
Proposed: 60 single family detached dwellings
D. Parking:

	Single Family Homes	Pool (per County Code)
Required	2 spaces/unit	60 units x 4 bdrm x 25%/7 = 9 spaces
Proposed	2 spaces per unit	12 spaces

E. Open Space: "All Open Space shall be in compliance with the Local Open Space Manual, Latest Edition."
Required:
Active Open Space @ 650 SF/unit: 650 SF x 60 units = 0.895 Ac± or 39,000 SF±
Passive Open Space @ 350 SF/unit: 350 SF x 60 units = 0.482 Ac± or 21,000 SF±
Total: 1.377 Ac± or 60,000 SF±
Proposed:
Active Open Space: 1.43 Ac± or 62,161 SF±
Passive Open Space: 0.3 Ac± or 13,204 SF±
Total: 1.73 Ac± or 75,365 SF±

'All Local Open Space shall be in compliance with the Local Open Space Manual, Latest Edition,' except as it may be modified and agreed to between the developer and the Department of Recreation and Parks.
'Temporary open space boundary markers, tree protection devices and four foot high snow fencing or approved equivalent shall be installed prior to any clearing or grading.'
'Within the area shown as open space, disturbance beyond that which is shown on the development plan shall not be allowed without prior approval from the Department of Recreation and Parks.'

F. Landscape requirements as specified in the Baltimore County Landscape Manual, adopted August 7, 2000 and as amended.
Note: Schematic Landscape Plan shown is preliminarily in nature and is to show compliance with the Baltimore County Landscape Manual.
The Schematic Landscape Plan is subject to a Final Landscape Plan.
1 Planting Unit (P.U.) = 1 major deciduous tree (2-2-1/2" cal.) or
2 minor deciduous trees (1-1/2"cal.) or
2 evergreen trees (6' ht.) or
5 shrubs or (Class 'A': 24-30" ht.) (Class 'B': 18" ht.)
500 S.F. of ground cover or
10 herbaceous/perennial (1 gal.)* or
20 herbaceous/perennial (1 quart)
*To meet Class D screening requirements only.

	Required	Proposed
A. STREET FRONTAGE: (Condition A) Adjacent Road @ 1 PU/40 L.F. Interior Road @ 1 PU/20 L.F.	1,270 LF±/40= 31.8 P.U. 3,140 LF±/20= 157 P.U.	31.8 P.U. 157 P.U.
B. PARKING LOTS: (Condition B) Perimeter Screening - Adjacent to public right-of-way Class 'B' (minimum installed height of 18" for shrubs and 6' for evergreen trees) @ 1PU/15 L.F. of perimeter	120 LF±/15= 8 P.U.	8 P.U.
- Interior Road @ 1 PU/20 L.F.	40 LF±/20= 2 PU	2 P.U.
- Interior landscape @ 1 PU/12 spaces (7% of parking lot) Island/median: 4' minimum width Building face-to-face of curb: 6'	12 spaces/12= 1 PU	1 P.U.
B. REAR & SIDE YARD: (Condition B) Class 'A' screen (minimum installed height of 24"-30" for shrubs and 6' for evergreen trees) 1 PU/ 15 LF	195 LF±/15= 13 P.U.	13 P.U.
I. SWM (Condition 'I') Screen adjoining properties, public and private roads when slopes are > 4:1 Class 'A' screen 1 PU/ 15 LF of perimeter measures at toe of fill slopes and top of cut slopes - No woody vegetation within 15 feet of the toe of fill embankments - 10 foot landscape strip between no planting zone and property line - No woody vegetation within 50 feet of inlet structure - Fencing shall be located min 10' from R/W	785 LF±/15= 52.3 P.U.	52.3 P.U.
R. OPEN SPACE (Condition 'R') @ 1 PU/ 1,500 S.F. of required open space Credit may be given for retention of existing trees	60,000 SF±/1500= 40 P.U.	40 P.U.
TOTAL:	305.1 P.U.	305.1 P.U.

Credit may be applied for at time of Final Landscape Plan submittal.
The Final Landscape Plan will be approved prior to grading permit application.

7. UTILITIES: Public water and sewer will be provided. Onsite utilities will be either public or private.
8. USE: The existing use is Residential and Agricultural. The proposed use is Residential.
9. ENVIRONMENTAL: There are no known critical areas, archaeological sites endangered species, or hazardous materials* on the site.
*As known to the applicant; location and description of hazardous materials as defined by Section 7-101 of the Environmental Article of the annotated Code of Maryland, as from time to time amended.
10. AVERAGE DAILY TRIPS (ADTS): Average daily trips as calculated from the Baltimore County Comprehensive Manual of Development Policy. Single Family: 60 units x 10/unit = 600 ADTS
11. STORMWATER MANAGEMENT: Stormwater management will conform to Baltimore County Standards.
Stormwater management facilities will be owned and maintained by the Home Owners Association or by Baltimore County.
Stormwater management facilities shall be screened from adjacent residential properties.
Preliminary hydrology computations have been provided to DEPRM with the filing of the Development Plan.
The Hydrology Report verifies that the outfalls are suitable.
Slopes for the storm water management ponds shall not exceed a ratio of 3:1 per Section 259.4.C.8. (Baltimore County Zoning Regulations)
12. GRADING: Grading shown is schematic only.
13. VEGETATION: Existing vegetation will be retained in areas not needed for construction or grading. Existing vegetation consists of woods, scrub areas and lawn.
14. SIGHT LINES: Proposed sight lines are shown on the plan and will be cleared and graded and kept permanently clear to ensure unobstructed sight at all times.
15. STORAGE TANKS: There are no known underground storage tanks on site.

16. LIGHTING: Proposed lighting is shown as ▲. Lighting is schematic and subject to change.
17. No Zoning Case History has been found. This property as shown on the plan has been held intact since (see note #5) (according to deeds). No known part of the gross area of this property as shown on the plan has been utilized, recorded or represented as density or area to support any off-site dwellings. Existing buildings (as noted on the plan) to be removed will be razed by the developer prior to Record Plat.
18. Soil and Slope Mitigation Measures:
The developer shall do the following in those areas where severe or moderate soil limitations are indicated and/or steep slopes occur:
a. Insure that grading plans consider protection of these areas from increase in run-off. This may include draining roof down spouts and drives into storm drains.
b. Stabilization of disturbed areas in accordance with approved sediment control practices.
c. Consider geotechnical assistance with on-site inspectors as appropriate.
19. Sidewalks shall be provided on all public roads. (Subject to Waiver Request for Cowenton Avenue Improvements).
20. Future signs shall conform with BCZR Section 450 and all zoning policies.
21. Building envelopes and/or footprints shown are for illustrative purposes and may not represent the final location for any particular dwelling. Final house location will be subject to the various standards and limitations illustrated by the details and charts included on this plan.
22. Existing septics (as noted) shall be field located, removed and backfilled by a licensed septic system contractor when sanitary sewer becomes available. There are no known existing wells on site. Existing residences are served by public water. The existing connections will be abandoned.
23. "Any Forest Conservation Easement or Forest Buffer Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas."
24. "There shall be no clearing, grading, construction or disturbances of vegetation in the Forest Conservation Easement or Forest Buffer Easement except as permitted by Baltimore County Department of Environmental Protection and Resource Management."
25. Proposed roads and utilities may be public or private.
26. Envelopes shown hereon are for the location of principal buildings only. Accessory structures and projections into yards may be constructed outside the envelope, but must comply with Sections 259.9, 301 and 400 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building permits.) Fencing shall comply with Section 259.9.C.6. (Baltimore County Zoning Regulations)
27. Maximum building height allowed is 50 feet. Two story homes are generally proposed.
28. According to Glenn Hoge, Office of Planning, MTA, the nearest MTA service to this site is at the intersection of Belair Road (US Route 1) and Joppa Road (bus line #15).
29. The "Recommended Areas of Critical State Concern" map included on this sheet indicates the general Perry Hall/White Marsh area as a "ground water problem area". No ground water extraction is proposed for this development.
30. A CIM was held on August 27, 2001. The minutes which identify all comments can be found in PDM File No. XI-837, on file in Room 123 of the Baltimore County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204.
31. There are no known limitations established by the Courts, County Board of Appeals, Planning Board or Zoning Commissioner or restrictive covenants recorded with individuals or groups which would limit proposed development on this site.
32. There are no buildings, properties or sites within or contiguous to the proposed development included on the Maryland Historical Trust Inventory of Historic Properties, Baltimore County Preliminary or Final Landmarks List, the National Register of Historic Places, the Maryland Archaeological Survey, nor any Baltimore County Historic District or National Register Historic District covering the proposed development.
33. A Hydrogeological Report and an Environmental Effects Report has been filed concurrently with this Development Plan.
34. A Preliminary Forest Conservation Plan and Worksheet has been filed independently of this plan in accordance with Section 14-408. A Forest Retention Investigation Report has been filed.
35. This site does not lie within the limits of the Chesapeake Bay Critical Area. No additional information is requested by the Department of Environmental Protection and Resource Management to determine compliance with the Critical Area Local Protection Program pursuant to Section 26-442(a).
36. A Forest Buffer Variance request and Alternatives Analysis has been submitted to DEPRM.
37. Residential Transition Areas do not apply to residential uses in the H and HI overlay Districts per Section 259.9.B.1. (BCZR)
38. The property is located in the Bird River Subarea and the Honeygo Subarea. All Honeygo density and area standards will be met or subject to a Public Zoning Hearing.
39. Proposed roads may be private. Alleys are private. Highway widening for E. Joppa Road and Cowenton Avenue indicated for dedication to Baltimore County will be offered for dedication at no cost to the County. The proposed roads are neither arterial or collector roads.
40. The Honeygo Overlay Design Guidelines were adopted by the County Council on 3-17-97. The Honeygo Regulations over ride conflicts with other Baltimore County Zoning Regulations.
41. All dwellings will meet the standards set forth in Section 259.9.A-G of BCZR and the Honeygo Overlay District Guidelines.
42. All fencing shall be in conformance with the Honeygo Overlay District Design Guidelines, and any fence more than three feet high shall also be setback at least five feet from any public right-of-way other than an alley. Landscaping shall be provided on the street side of the fence.
43. The Bureau of Traffic Engineering and Planning has confirmed that the subject site is within a traffic deficient area (Belair & Ebenezer) per Keith Link; however, Development Plans are currently being accepted due to the recent opening of the extension of Honeygo Blvd.
44. Baltimore County Forest Conservation Easement and Forest Buffer Easement access shall be provided under a blanket easement, over any proposed private roads and as shown.

APPLICABLE EXCERPTS FROM THE HONEYGO DEVELOPMENT STANDARDS:

259.9 Development standards for H and HI Overlay Districts. [Bill No. 176-1994]
These standards are intented to be additions to, modifications of and exceptions from the standards required by the underlying zoning classification or the land in the area. All conflicts are to be resolved in accordance with Subsection G of this section.

A. Uses. [Bill No. 73-1999]
1. Back-to-back group homes are not permitted.
2. Retail establishments exceeding 65,000 square feet are not permitted.
3. Accessory structures, including but not limited to solar panels, antennas, satellite dishes, trash pads and storage sheds are not permitted in the front yard of any principal use.

B. Bulk and area standards. [Bill Nos. 40-1997; 73-1999]
1. Except for nonresidential principal buildings or uses, and their accessory parking, the requirements of Section 1B01.1.B.1. (residential transition area) of these regulations do not apply.
3. Except for properties with approved development plans or CRG plans, the minimum width for any single-family detached lot is 85 feet as measured along both the front wall and rear wall of the dwelling unit.
4. Except as provided in this section, the provisions of Section 1B01.2.C apply to development in the overlay districts. In the districts, the minimum residential dwelling setbacks are:
a. Ten feet from the right-of-way of a collector street, neighborhood street, alley or court as defined in the Honeygo Overlay District design guidelines;
b. Forty feet from the right-of-way of a major or minor arterial or collector road, as defined in these regulations. (In this case, Joppa Road; except: see variance request V-3, for Lot 57 only);
c. Not applied to porches or stoops in front yards; and
d. Six feet from a side yard lot line that is not adjacent or the same as a public right-of-way if the dwelling unit is designed to have a side or rear entry garage. However, the sum of all side yard widths may not be less than 20 feet.
e. Except for properties with approved development plans or CRG plans, 50 feet from the rear property line except for:
(1) Unroofed additions, including patios and decks; and
(2) Roofed additions which do not exceed in width 50% of the dwelling unit, and which do not extend more than 10 feet into the rear yard setback area.

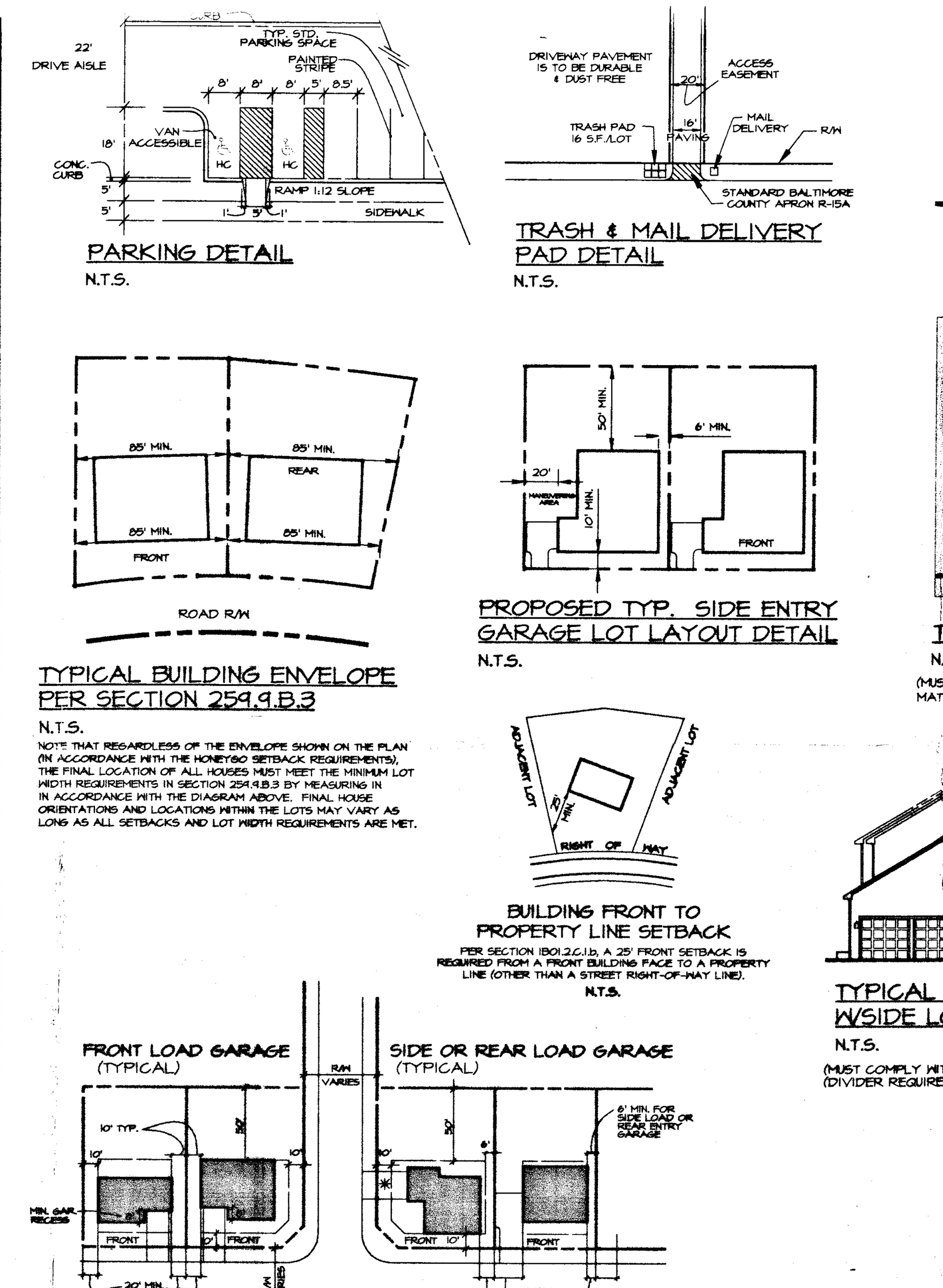
C. Building and site design standards.
1. Panhandle lots are not permitted unless:
a. The underlying zoning of the land is D.R.;
b. No more than two lots share a driveway; and
c. Lots exceed 30,000 square feet in area.
2. Reverse frontage lots are not permitted.
3. [Bill No. 73-1999]
a. Except for properties with approved development plans or CRG plans, which shall be allowed front entry garages in accordance with the regulations in effect prior to January 14, 1995, a front entry garage shall be recessed at least eight feet behind the front facade of the dwelling. A two-car garage facing the street shall have two individual doors separated by a divider. The front facade of all garages, including the divider and not including the garage doors, shall be constructed of the same approved materials as the front facade of the building. (Approved materials are brick and stone.)
b. The exterior surface of a side-entry garage, not including the garage doors, which faces the front of the dwelling shall be constructed of the same approved materials as the front facade of the building. (Approved materials are brick and stone.)
4. The exterior surface on the front facade of all residential dwellings, not including the garage doors, shall consist of at least 70% of approved materials. [Bill Nos. 40-1997; 73-1999]. (Approved materials are brick and stone.)
5. Building exteriors shall be of finished quality and similar architectural treatment, as defined in the Honeygo District Design Guidelines, to grade or, where that is not feasible, shall be finished to within 12 inches of grade on all sides of the building.
6. All fencing shall be in conformance with the Honeygo Overlay District Design Guidelines, and any fence more than three feet high shall also be setback at least five feet from any public right-of-way other than an alley.
7. Roofs shall be pitched in accordance with the Honeygo Overlay District Design Guidelines. (That is a minimum slope of 6:12 per p.8, "Building Design".)
8. Stormwater management pond slopes, where management is not provided through a regional facility, shall not exceed a ratio of 3:1.
9. Rooftop equipment shall be screened so it is not visible from the ground level of adjacent buildings.
10. All inside group townhouses shall be at least 20 feet wide and all end of group townhouses shall be at least 22 feet wide. [Bill No. 40-1997].

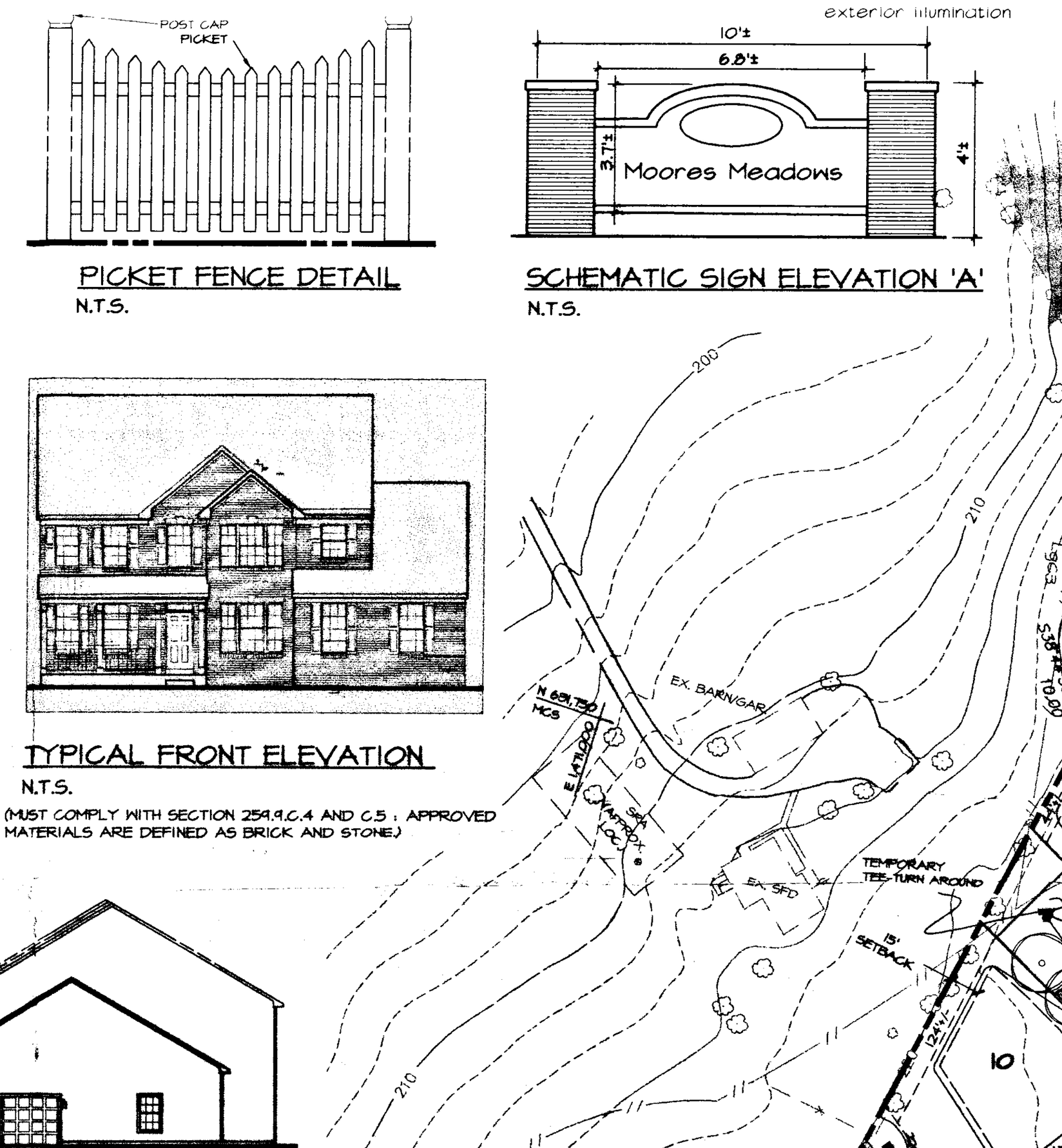
D. Signage standards. Signs are permitted, subject to Sectin 450. [Bill No. 84-1997]

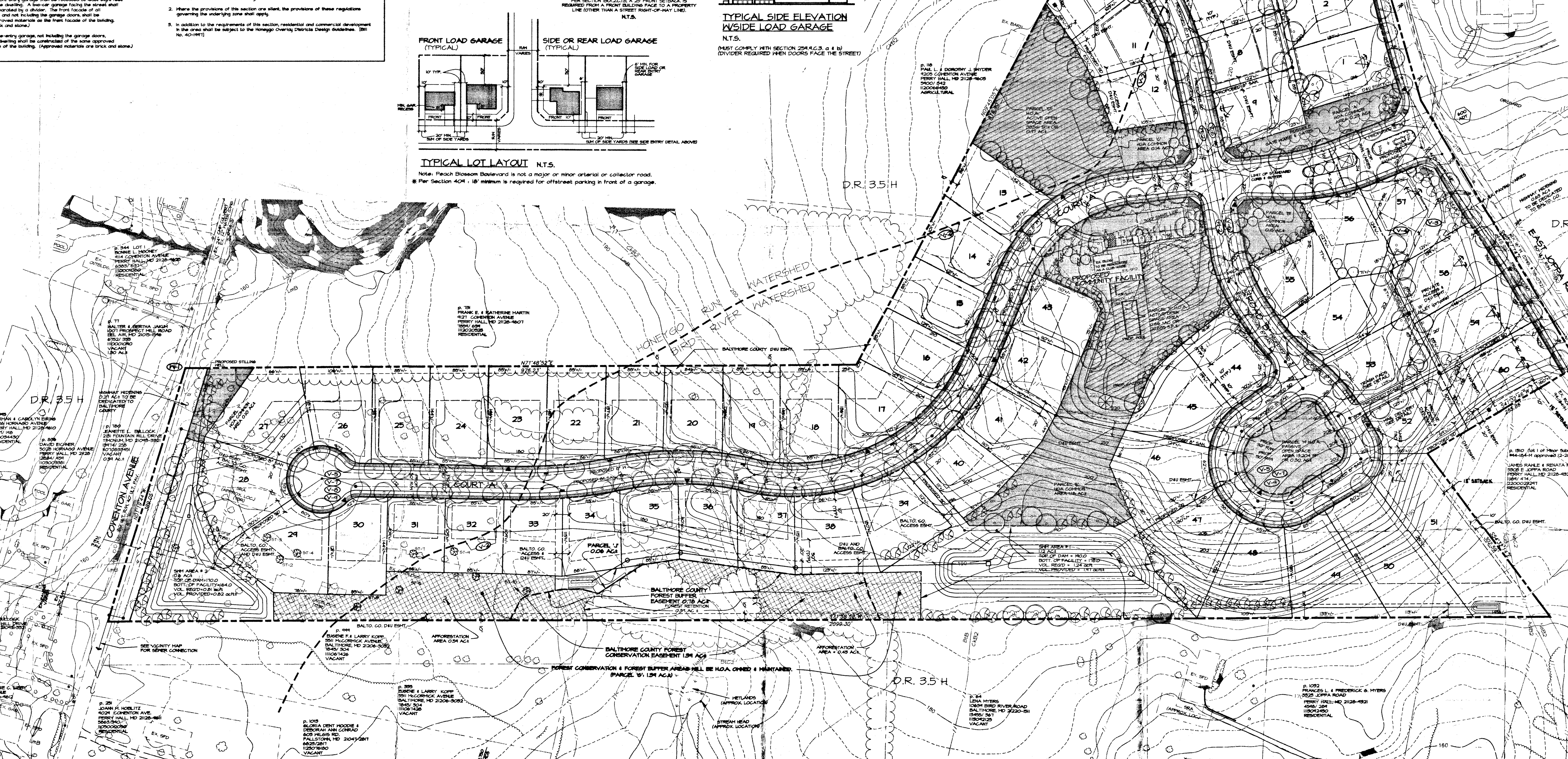
E. Open space standards.
2. Stream buffers, wetlands and steep slopes contiguous to streams and regulated by the Department of Environmental Protection and Resource Management (DEPRM) for environmental purposes shall be dedicated to Baltimore County, recorded by the county government among the land records of Baltimore County, and not used to meet the local open space requirements of the underlying zones.
4. At least 25% of the perimeter of any open space must abut public rights-of-way or fronts of buildings, and such open space shall be landscaped.
5. The county may accept a fee in lieu of providing required open space when such fee is in conformance with these regulations. The fee shall be established annually by the Baltimore County Planning Board in accordance with the procedure set forth in Section 15-9 of the Baltimore County Code, 1988 Edition, as revised. [Bill No. 40-1997]
7. Forest conservation areas and wetlands not contiguous with streams shall not be used to meet the local open space requirements of the underlying zones.

F. Parking standards
1. The provisions of Section 440.6 of these regulations apply except as provided in this subsection. [Bill No. 73-1999]
2. The provisions of Section 102.4 of these regulations do not apply and any lot may have sole access to an alley with a right-of-way of at least 16 feet.
3. Off-street parking bays are not permitted.
4. A cul-de-sac or court shall not exceed 400 feet in length unless, as determined by the Director of Environmental Protection and Resource Management, a longer length is needed to prevent encroachment on protected areas.
5. All streets shall have sidewalks and shall be planted with trees according to the standards for the street classification, as defined by the Honeygo Overlay District Design Guidelines.

G. Application.
1. The provisions of this section shall govern in any situation where there is a conflict between this section and other regulations.
2. Where the provisions of this section are silent, the provisions of these regulations governing the underlying zone shall apply.
3. In addition to the requirements of this section, residential and commercial development in the area shall be subject to the Honeygo Overlay Districts Design Guidelines. [Bill No. 40-1997]







PUBLIC WORKS WAIVER REQUEST

(W-1) To waive the required improvements to Cowenton Avenue.
(W-2) To permit the use of concrete mountable curb and gutter in lieu of standard concrete curb & gutter.

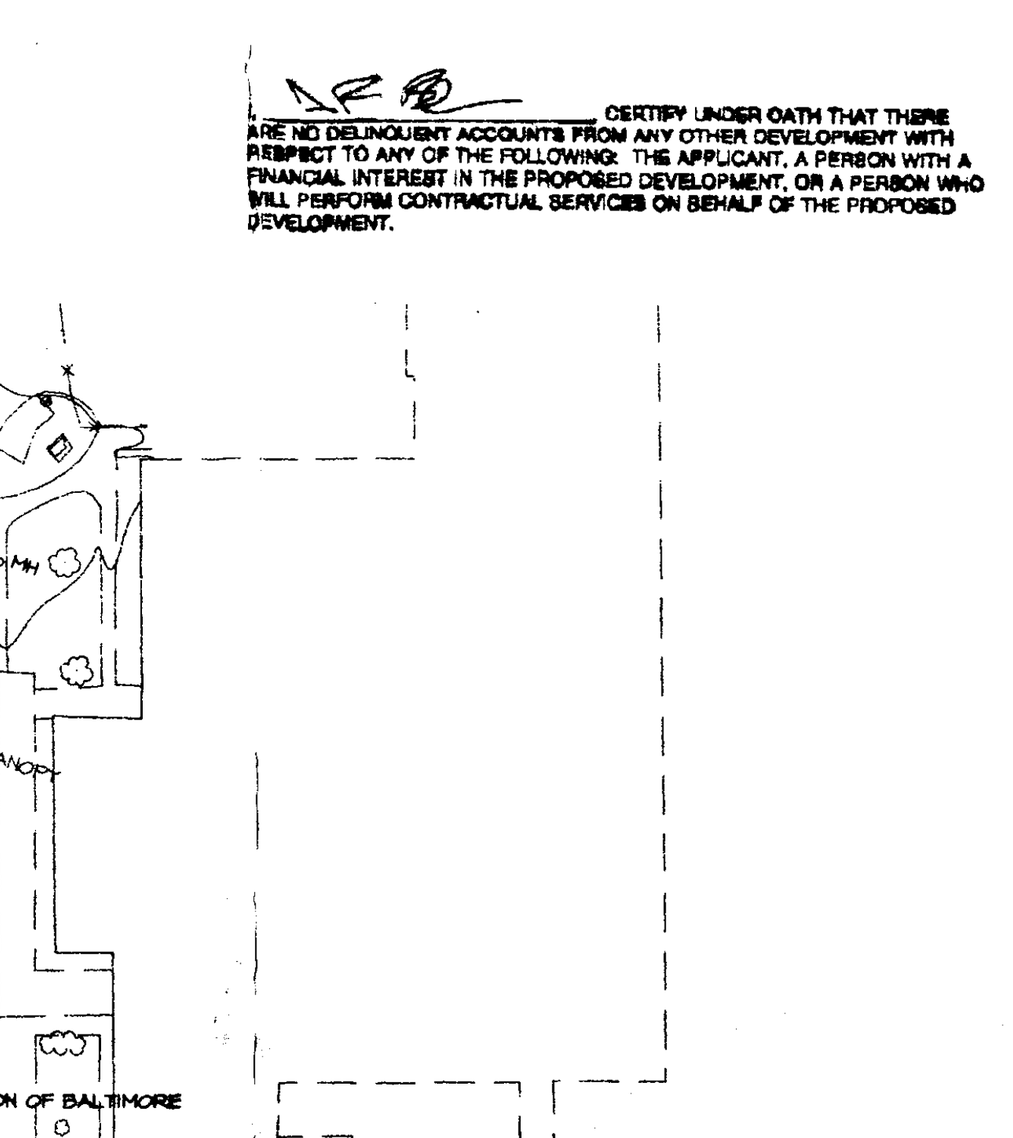
REQUESTS FOR VARIANCES:

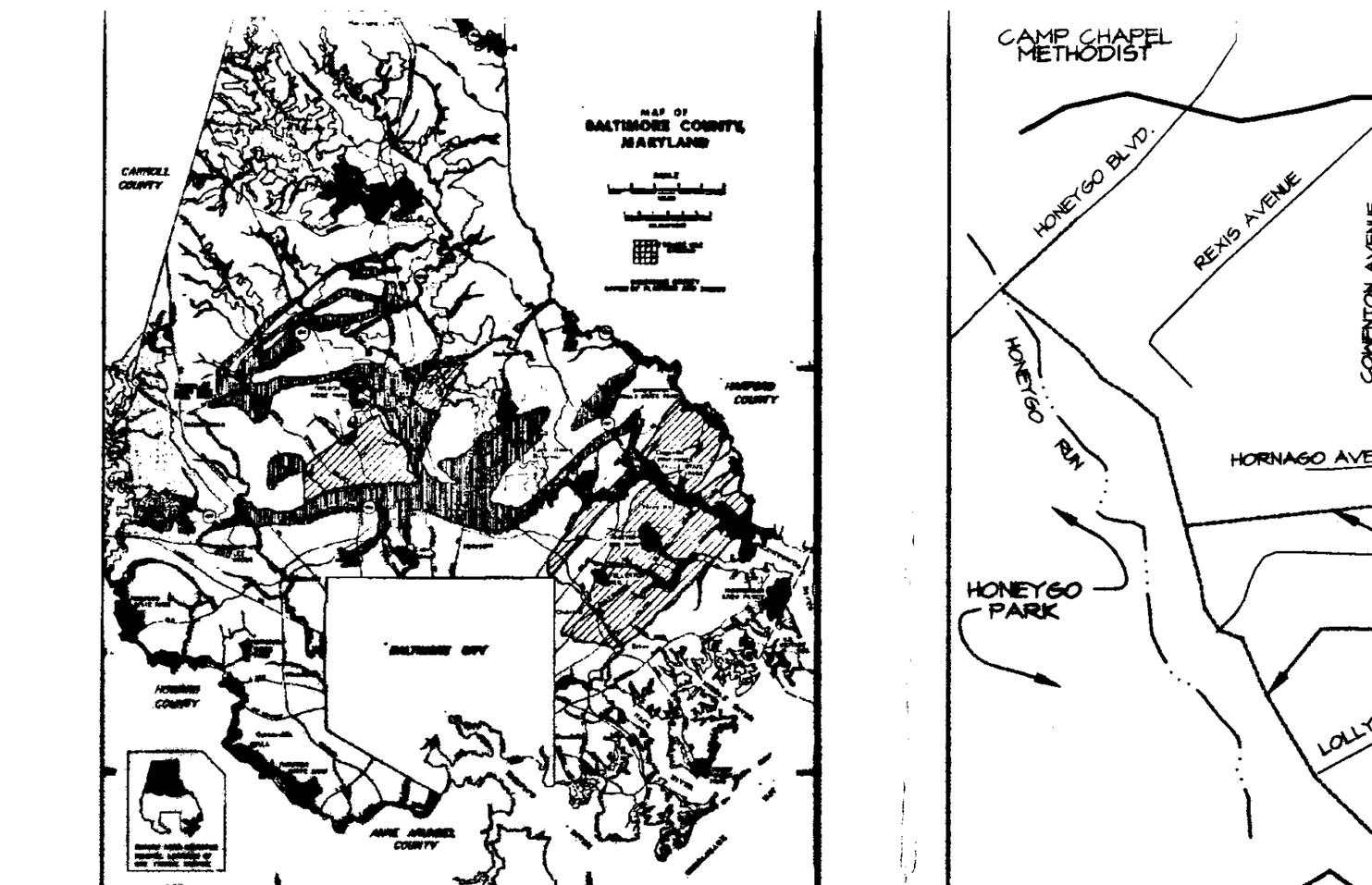
(V-1) Petitioner hereby petitions for a Variance from the threshold limits contained in Baltimore County Zoning Regulations ("BCZR") Section 259.7, pursuant to BCZR Section 259.8 and BCZR Section 4A02.4.G (incorrectly referred to as "4A02.4.F" in Section 259.8), to permit the issuance of building permits for construction pursuant to the Moores Meadows Development Plan.
(V-2) Petitioner hereby petitions for a Variance from BCZR Section 259.7.5 to allow all dwellings within the Bird River Subarea to connect to the Honeygo Run sewer interceptor.
(V-3) Petitioner hereby petitions for a Variance from BCZR Section 259.9.B.4.b to allow a 25' setback from E. Joppa Road in lieu of the required 40' setback for Lot #57.
(V-4) Petitioner hereby petitions for a Variance from BCZR Section 259.9.B.4.e to allow a 15' setback from the rear property line in lieu of the required 50' setback for Lot #57.
(V-5) Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 26 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for two cul-de-sacs/courts in lieu of providing through connection to adjacent properties.
(V-6) Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and pp. 29 and 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for mountable curbs in lieu of the requirement for standard vertical curbs.
(V-7) Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for two cul-de-sacs/courts in lieu of the requirement that courts only occur for special design situations and between environmentally sensitive land areas.
(V-8) Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for a court without a landscaped median at the turn-around section of the court.
(V-9) Petitioner hereby petitions for a Variance from BCZR Section 259.9.F.4, BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow two courts/cul-de-sacs in excess of 400' in length from the center line of the adjoining street.

"REQUEST FOR DEVIATION FROM RESIDENTIAL PERFORMANCE STANDARDS".

"This Development Plan meets the Residential Performance Standards set forth in Section 260 of the Baltimore County Zoning Regulations ("BCZR") (as revised per Bill No. 58-01) with the exception of the standard set forth within BCZR Section 260.4.B for which we are seeking a deviation pursuant to BCZR Section 260.1.C.3 and Section 260.1.B.4".

______ CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FROM ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.



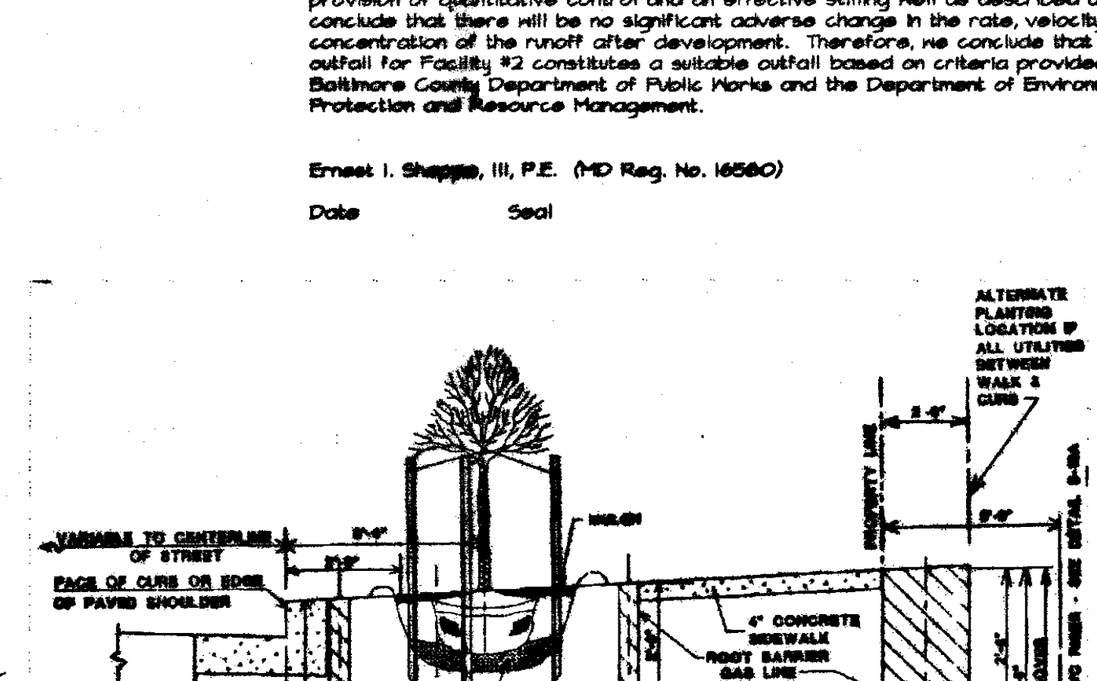


SUITABLE OUTFALL STATEMENT

Stormwater Management Pond #1 manages runoff from two sub-areas, both of which drain to an existing channel approximately 0.7 miles downstream of the project, identified along MD Route 7, mandating that 2, 10, and 100-year management be provided. The discharges from Pond #1 will be divided proportionally at the pond using two outfall structures to mimic the predevelopment discharges to each outfall. No well-defined channels are present onsite at the outfalls, so level spreaders will be used to disperse the discharge and mimic the current conditions with respect to degree of concentration. With the provision of onsite 2, 10, and 100-year management, together with the use of level spreaders at the outfalls, we anticipate no significant adverse change in the rate, velocity, or degree of concentration of the runoff after development. Therefore, we conclude that the proposed outfalls for Pond #1 constitute suitable outfalls based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

Facility #2 will discharge to an existing roadside swale along Cowenton Avenue and subsequently to a 24" CMP culvert beneath this roadway. This culvert outlets to a masonry channel which is an unnamed tributary of Honeygo Run. Due to the limited capacity of the existing 24" culvert, 2, 10, and 100-year management will be provided. Facility #2 will outlet to the roadside ditch via a proposed stilling well (a Y-1 inlet) to create a very low velocity dispersed flow into the existing roadside swale, which was examined in the field and found to be well vegetated and stable. The use of a stilling well will also allow the system to be more easily connected to a future storm drainage system in Cowenton Avenue. With the provision of quantitative control and an effective stilling well as described above, we conclude that there will be no significant adverse change in the rate, velocity, or degree of concentration of the runoff after development. Therefore, we conclude that the proposed outfall for Facility #2 constitutes a suitable outfall based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

Ernest I. Sheppe, III, P.E. (MD Reg. No. 16880)
Date Seal

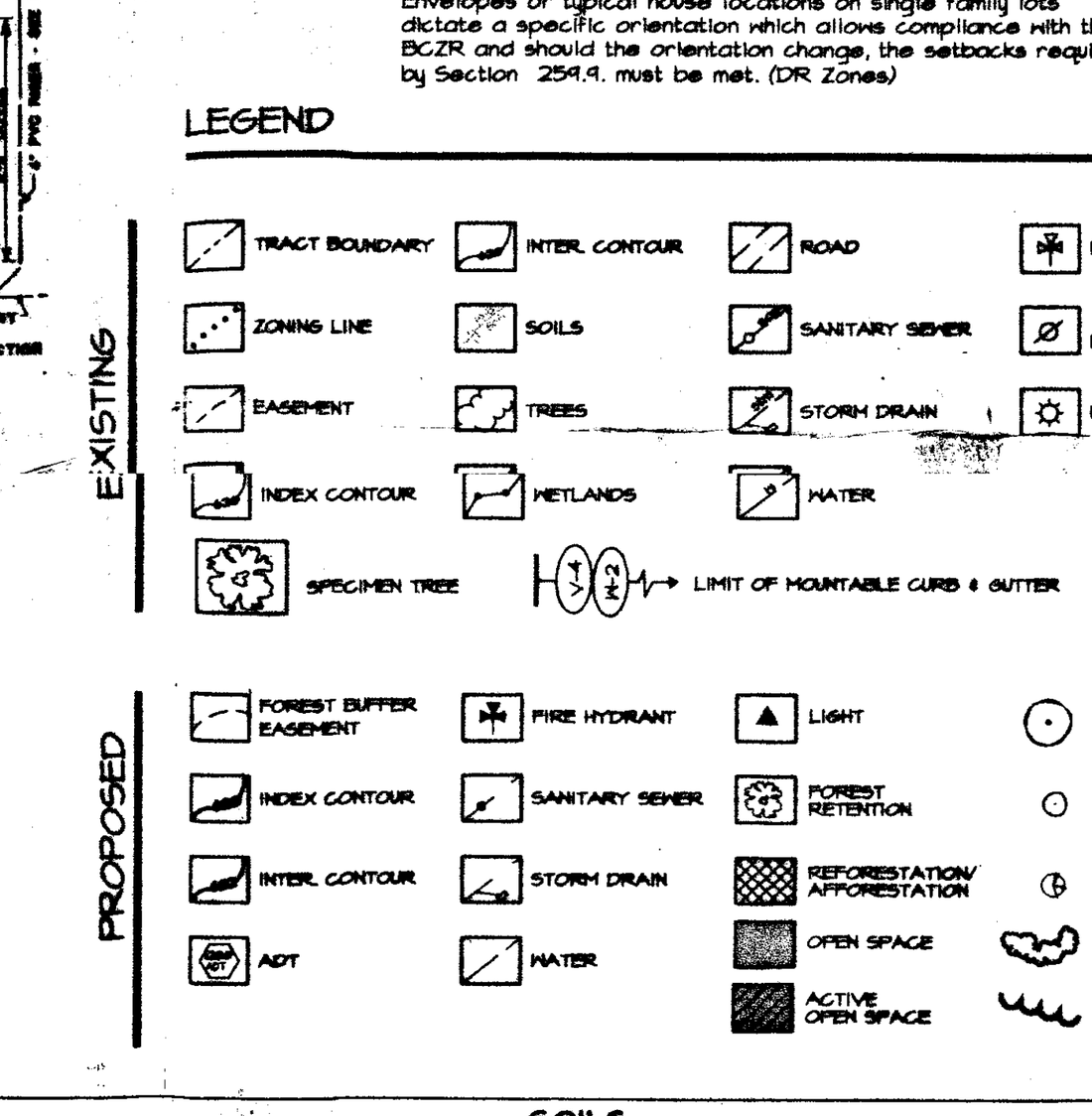


RESIDENTIAL BUILDING SETBACKS- D.R. ZONES HONEYGO OVERLAY DISTRICT	D.R. 3.5 H & D.R. 3.5 HI	D.R. 2 H
From building face to: right-of-way of a collector street, neighborhood street, alley or court. (not applied to porches or stoops in front yard)	10'	10'
From building face to right-of-way of a major or minor arterial or collector road. (not applied to porches or stoops in front yard)	40'	40'
From building face to: Rear property line (Except for unroofed additions including patios and decks and roofed additions which do not exceed in width 50% of the dwelling unit and which do not extend more than 10 feet into the rear yard setback area.)	50'	50'
From building face to: The side yard lot line that is not adjacent or the same as a public right of way if the dwelling unit has a side or rear entry garage.	6' (sum of all side yards widths may not be less than 20')	6' (sum of all side yards setbacks may not be less than 20' between buildings)
Front entry garage shall be recessed behind the front facade of the dwelling.	8' min.	8' min.

This table lists minimum setback requirements for urban residential use. For a fuller explanation of these and other requirements, consult the Comprehensive Manual of Development Policies (CMDP) and Bill 73-99.

Envelopes or typical house locations on single family lots dictate a specific orientation which allows compliance with the BCZR and should the orientation change, the setbacks required by Section 259.9. must be met. (DR Zones)

LEGEND



SOILS					
SYMBOL	NAME	HOMES W/ BSMNT.	HOMES w/o BSMNT.	STREETS & PARKING LOTS	AGRICULTURAL CAPABILITY
AdB2	Aldino Silt Loam, 3-8% slopes, moderately eroded	Mod.	Slight	Mod.	IIe-14*
LmB	Lenoir silt loam, 0-5% slopes	Severe	Severe	Severe	IIIw-5*
LnC3	Lenoir silty clay loam, 5-12% slopes, severly eroded	Severe	Severe	Severe	IVe-9
LyD	Loamy and clayey land, 5-15% slopes	Severe	Severe	Severe	VIe-2
NeB2	Neshaminy silt loam, 3-8% slopes, moderately eroded	Slight	Slight	Mod.	IIe-4*
NeC2	Neshaminy silt loam, 8-15% slopes, moderately eroded	Mod.	Mod.	Severe	IIIe-4*

(*) DENOTES PRIME AND PRODUCTIVE SOILS

"THIS SITE IS IN THE HONEYGO OVERLAY DISTRICT 'H' AND IS WITHIN THE 'HONEYGO' AND 'BIRD RIVER' SUB-AREAS AND IS SUBJECT TO THE APPLICABLE HONEYGO AREA REGULATIONS, AS WELL AS OTHER BALTIMORE COUNTY ZONING REGULATIONS."

HEARING OFFICERS HEARING AND ZONING HEARING TO BE COMBINED

PROJECT NAME: MOORES MEADOWS
PLAN TITLE: DEVELOPMENT PLAN & SCHEMATIC LANDSCAPE PLAN & PLAT TO ACCOMPANY PETITION FOR VARIANCES
COUNCILMANIC DIST.: 5
ELECTION DIST.: 11
PROJECT MANAGER: Walt Smith
PDM #: XI-728
APPROVAL:

REVISIONS:

FEB 11 2002

DEVELOPER/OWNER PURCHASER
E. JOPPA ROAD, LLC
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428

Dev Ex #4

D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS — SURVEYORS
LANDSCAPE ARCHITECTS — LAND PLANNERS
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
(410) 944-ENGR, (410) 944-3647

STATE OF MARYLAND — ALAN E. SCOLL — NO. 854 — REGISTERED LANDSCAPE ARCHITECT

DATE: 2-8-02
SCALE: 1"=50'
C.I.: 2'
PROJ. NO.: 2405E
SHEET 1 OF 1

R:\Moores Meadows\Planning\Dwgs\Final\Dev\Dev.dwg Thu Feb 07 16:46:27 2002 --FSG

SITE DATA

Existing Zoning and Maximum Density Permitted

Zone	Ac+/- (gross)	Units Allowed	Units Proposed
DR-3.5H	24.7 AC±	108 UNITS	62 UNITS (61 proposed & 1 ex. SFD to remain)
Total	24.7 Ac±	108 UNITS	62 UNITS

SITE DEVELOPMENT PROPOSAL

Dwelling Type	Proposed Units	Parking Required	Parking Provided	Open Space Required (acres)		Open Space Proposed		Average Daily Trips	Phase
				ACTIVE	PASSIVE	ACTIVE	PASSIVE		
SINGLE FAMILY	62 UNITS	2 SPACES/UNIT or 124 SPACES	124 SPACES	650 SF/UNIT 40,300 SF± or 0.92 AC±	550 SF/UNIT 21,700 SF± or 0.5 AC±	43,560 SF± or 1.0±	30,492 SF± or 0.7	10 ADT/UNIT or 620 ADT	NA
Total	62 UNITS	124 SPACES	124 SPACES	40,300 SF± or 0.92 AC±	21,700 SF± or 0.5 AC±	43,560 SF± or 1.0±AC±	30,492 SF± or 0.7AC±	620 ADT	NA

OPEN SPACE PROPOSAL

Local Open Space Type	Ac +/-
Active Open Space	1.0
Passive Open Space	0.7
100 Year Flood Plain	
Forest Buffer	0.04
Amenity Areas	
Trails and Connectors	
Other	
Total Provided	1.74
Proposed Ownership	PENDING

Undeveloped Areas	Ac +/-
Storm Water Management	1.3
HOA/COA Areas	0.3
Other	
Total Provided	1.6

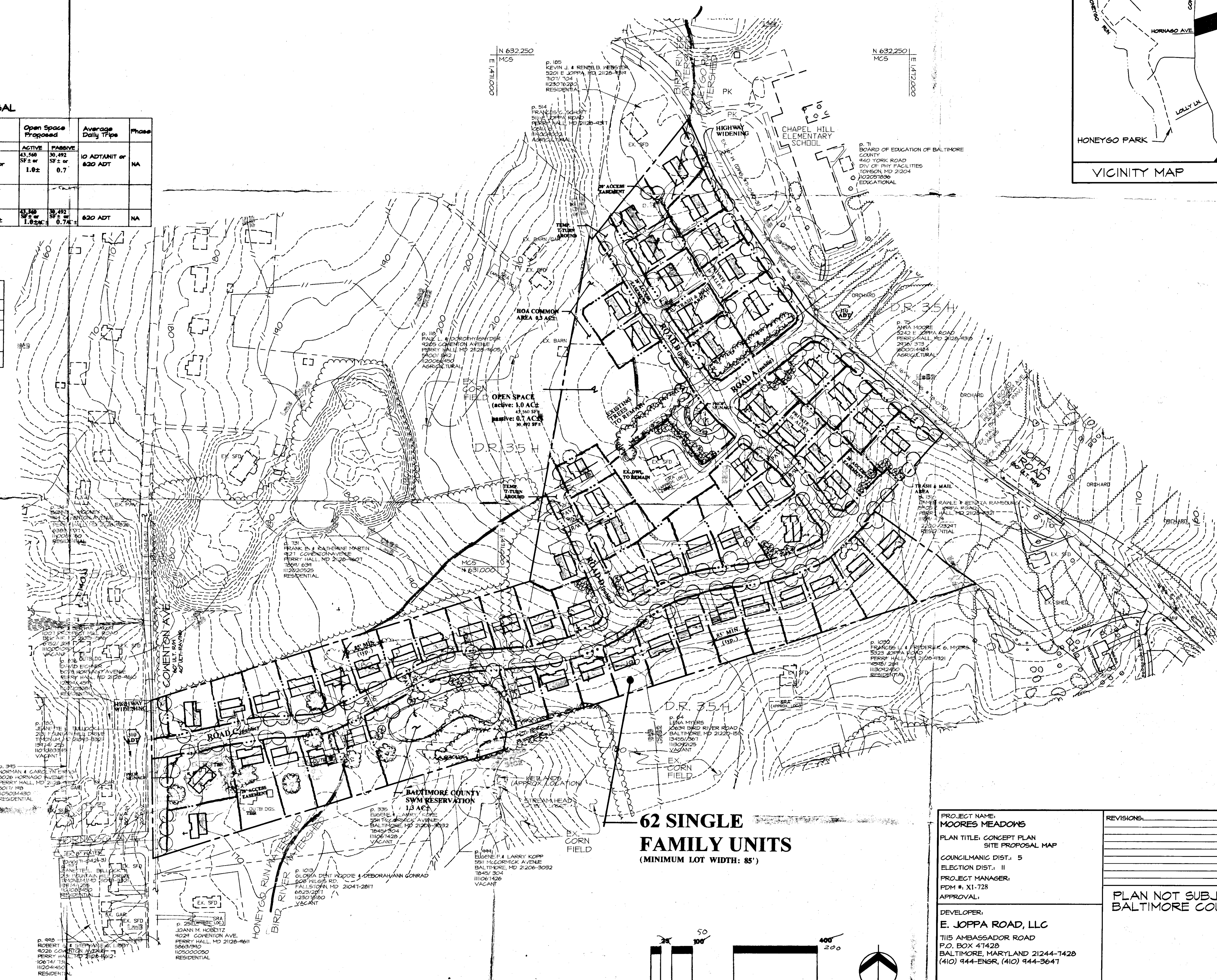
LANDSCAPE CONCEPT

Approximate # of Planting Units	
Required	252 P.U.
Provided (as shown)	252 P.U.

ADDITIONAL INFORMATION

Anticipated Actions:

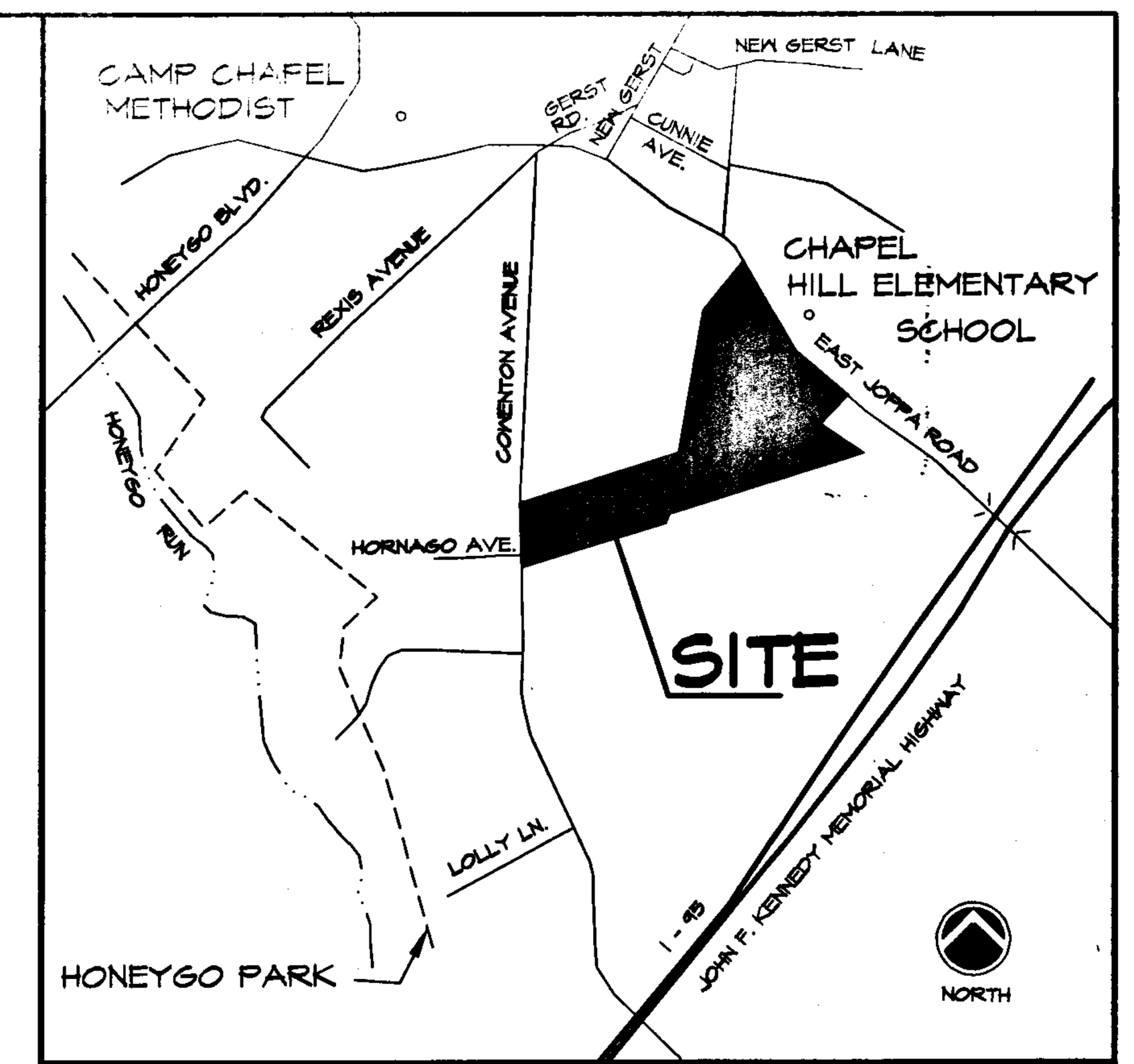
Variances	DEPRM: FOREST BUFFER VARIANCE
Waivers	
Special Exceptions	
Other	



LEGEND

EXISTING: TRACT BOUNDARY, ROAD, FIRE HYDRANT, EASEMENT, TREES, STORM DRAIN, UTILITY POLE, SOILS, SANITARY SEWER, LIGHT, CONTOUR, WETLANDS, WATER, SPECIMEN TREE

PROPOSED: LIGHT, ADT, MAJOR, MINOR, EVERGREEN SHRUBS AND/OR ORNAMENTAL GRASSES



VICINITY MAP SCALE: 1"=1000'

MOORES MEADOWS

CONCEPT PLAN: SITE PROPOSAL MAP

PROJECT NAME: MOORES MEADOWS
PLAN TITLE: CONCEPT PLAN SITE PROPOSAL MAP
COUNCILMANIC DIST.: 5
ELECTION DIST.: 11
PROJECT MANAGER:
PDM #: XI-728
APPROVAL:

REVISIONS:

PLAN NOT SUBJECT TO BALTIMORE COUNTY APPROVAL

DEVELOPER:
E. JOPPA ROAD, LLC
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
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P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
(410) 944-ENGR, (410) 944-3647

DATE: 06/07/01
SCALE: 1"= 100'
C.I.: 2'
SHEET 2 OF 2
FILE NO. 2403C

future date by the Director of Public Works in consultation with other appropriate Baltimore County agencies.

IT IS FURTHER ORDERED, that any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code, the applicable provisions of law, and within thirty (30) days from the date of this Order.

Timothy Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

7/11/02
B. Jamison