

IN RE: PETITION FOR VARIANCE  
N/S Cross Road, 2,192' NE of the c/l  
Chapel Road  
(9534 Cross Road)  
11<sup>th</sup> Election District  
5<sup>th</sup> Council District

Crossroad Development, LLC  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 02-439-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Crossroad Development, LLC, by Ermanno Florio, Manager. The Petitioners seek relief from Sections 1B01.2.C.1.b, 301.1, and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 24 feet in lieu of the required 30 feet for Lot 3, and rear yard setbacks of 25 feet each in lieu of the required 30 feet for Lots 4, 14, 15, 16, 17, 18, and 19; to allow an open projection (deck) on Lots 3, 4, 14, 15, 16, 17, 18, and 19 to have rear property line setbacks of 13 feet each in lieu of the required 22.5 feet; and approval of an amendment to the final development plan for the Florio Property to reflect the proposed modifications. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Ermanno Florio and his wife, Dorothy Florio, property owners, and Grant Houston, Builder. Appearing as interested persons were Dennis Eckhardt and William Libercci from the Perry Hall Improvement Association, and Georgios and Maria Balatzis, adjacent property owners.

The property under consideration is a rectangular shaped parcel located on the northwest side of Cross Road, just east of Chapel Road in Perry Hall. The property contains approximately 8.0 acres, zoned D.R.3.5, and is located within the Honeygo District. The Petitioner proposes to develop the property with 19 single family homes. In this regard, development plan

ORDER RECEIVED FOR FILING

Date 9/3/12

By [Signature]

approval was obtained under Case No. XI-735 on March 14, 1996; however, development of the property could not proceed due to the lack of authorizations for utility connections as set forth in the Honeygo District regulations of the B.C.Z.R. Subsequent to development plan approval, the Petitioner sought special hearing and alternative variance relief under separate Petitions filed in Cases Nos. 99-331-SPH and 01-205-A in order to obtain those authorizations. A combined Order was issued on January 24, 2001, dismissing as moot the special hearing relief sought in Case No. 99-331-SPH, and granting the variance relief sought in Case No. 01-205-A. Specifically, variance relief was granted from Sections 259.7(s) and 259.8 of the B.C.Z.R. to permit sewer connections to the subject site from the Belair Road sub-area to a sewer interceptor in a different sub-area (Bean Run). Finally, by letter dated February 14, 2001, the undersigned Zoning Commissioner extended the validity of the approved development plan through June 24, 2006.

In any event, the project is now ready to move forward and the Petitioner requests variance relief for eight of the lots as described above. As more particularly shown on the subdivision plan, vehicular access to the site will be by way of a new public road, which will enter into the subject property from the southeast and Cross Road. Relief is requested for six of the dwellings, which are located on the east side of that road, and for two additional dwellings which are located on the west side.

Mr. Florio and his Builder, Grant Houston, testified that they propose to construct on the property substantial single family dwellings, which are consistent with the high quality of development in the Honeygo area. It was also noted that due to the stringent requirements for the Honeygo district, attached garages for the houses are "recessed" behind the front building wall of the house. This is one of the many design elements incorporated in the Honeygo plan to assure high quality. In any event, due to these regulations and constraints associated with the property, variance relief is requested for slightly reduced rear yard setbacks. Additionally, relief is requested to permit open decks to extend into the rear yards by more than the maximum 25% allowed. The site constraints associated with the property are also to be noted. The property contains an existing

pond and large area of forest conservation and forest buffer easement. Additionally, there is a storm water management reservation.

Mr. & Mrs. Balatzis reside adjacent to the subject property and initially appeared at the hearing in opposition to the request. Similarly, Messrs. Eckhardt and Libercci from the Perry Hall Improvement Association appeared in opposition. However, upon hearing the rationale for the variances and the practical effect of same, all of these individuals indicated that they had no opposition to the proposal. These parties did request that a restriction be entered prohibiting decks that would extend from the second floor of the proposed dwellings. This will reduce visibility to the Balatzis' property. Moreover, it is to be noted that six of the lots that are the subject of the variance request abut land recently purchased by Baltimore County for development as a park. Finally, a Zoning Advisory Committee (ZAC) comment in favor of the variance requests was received from the Office of Planning.

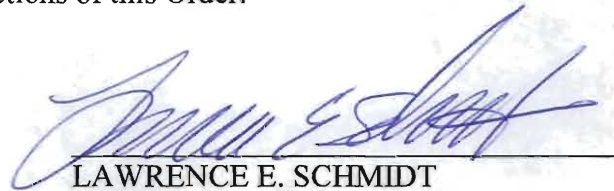
Based upon the testimony and evidence offered, I am persuaded to grant the relief requested. It is clear that this property is unique, given the environmental constraints associated therewith, as well as the character of adjacent properties. Moreover, the Petitioner would suffer a practical difficulty if relief were denied in that houses consistent with the high quality design guidelines of the Honeygo district could not be constructed. Finally, I am persuaded that a granting of the relief would not be detrimental to adjacent properties.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of June, 2002 that the Petition for Variance seeking relief from Sections 1B01.2.C.1.b, 301.1, and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 24 feet in lieu of the required 30 feet for Lot 3, and rear yard setbacks of 25 feet in lieu of the required 30 feet for Lots 4, 14, 15, 16, 17, 18, and 19. Additionally, relief is requested to allow open projections (decks) for Lots 3, 4, 14, 15, 16, 17, 18, and 19 with rear property line setbacks of 13 feet each in lieu of the required 22.5 feet, and approval of an

amendment to the final development plan for the Florio Property to reflect the proposed modifications, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) All decks shall be constructed at ground elevation, only. There shall be no decks extending from the second floor of any dwelling.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 6/5/12

By [Signature]



Baltimore County  
Zoning Commissioner

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

June 5, 2002

Mr. & Mrs. Ermanno Florio  
4030 North Point Boulevard  
Baltimore, Maryland 21222

RE: PETITION FOR VARIANCE  
N/S Cross Road, 2,192' NE of the c/l Chapel Road  
(9534 Cross Road)  
11<sup>th</sup> Election District – 5<sup>th</sup> Council District  
Crossroad Development, LLC - Petitioners  
Case No. 02-439-A

Dear Mr. & Mrs. Florio:

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

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

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Mr. Gary Houston, 2328 Bluemount Road, Monkton, Md. 21111  
Mr. Dennis Eckard, 39 Bangert Avenue, Perry Hall, Md. 21128  
Mr. William Libercci, 19 Shawn Court, Baltimore, Md. 21236  
Mr. & Mrs. Georgios Balatzis, 9600 Cross Road, Perry Hall, Md. 21128  
People's Counsel; Case File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)





# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9534 Cross Rd. Perry Hall

which is presently zoned DR 3-5-H  
HoneyGo district

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) 1B01.2.C.1.b, 301.1, 504, BCZR

To variance rear yard set back from required 30' to 25' on lots numbered:  
14, 15, 16, 17, 18, 19, and 4.

To variance rear yard set back from required 30' to 24' on lot # 3.

And to allow open projection for decks up to 13' from rear property line in lieu of 22 1/2' for  
of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate  
hardship or practical difficulty) lots 14, 15, 16, 17, 18, 19, 4 and 3  
and to amend the FDP for Florio Property

Variances are needed to allow homes in these lots to have more depth in  
order to conform with the requirement of Honeygo District for homes with  
front entry garages and produce a product worthy of the Honeygo area.  
Other specifics will be given at time of 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:

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

## Attorney For Petitioner:

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Company \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Case No. 02-439-A

REV 9/15/98

## Legal Owner(s):

CROSSROAD DEVELOPMENT, LLC  
Name - Type or Print \_\_\_\_\_  
Signature Ermanno Florio Manager  
Name - Type or Print ERMANNO FLORIO  
Signature \_\_\_\_\_  
4030 North Point Blvd 410-477-2050  
Address Telephone No.  
Baltimore, Md. 21222  
City State Zip Code

## Representative to be Contacted:

Ermanno Florio manager  
Name \_\_\_\_\_  
4030 North Pt. Blvd. 410-477-2050  
Address Telephone No.  
Balto., Md. 21222  
City State Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING \_\_\_\_\_

UNAVAILABLE FOR HEARING  
Reviewed By JNP Date 4/9/02

ORDER RECEIVED FOR FILING

Date \_\_\_\_\_  
By \_\_\_\_\_

**Zoning Description** for 9534 Cross Road  
**(Florio Property)**  
**7.97 Acre Parcel**  
**11th Election District**  
**Baltimore County, Maryland**

**BEGINNING** for the same at a point in the center of Cross Road, said point being distant North 43 degrees 20 minutes 28 seconds East 2191.48 feet from the intersection of the northeasterly right of way line of Chapel Road and the centerline of Cross Road, said point also being the same point of beginning as in a deed dated April 14, 1993, and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 9714, Folio 581; thence leaving said centerline and binding on a tract of land now or formerly owned by Leroy C. Laudenklos and Wife and recorded among the Land Records of Baltimore County, Maryland in Liber G.L.B. 3150 at Folio 7.

- 1) North 49 degrees 35 minutes 22 seconds West 882.75 feet; thence leaving said line and binding on a tract of land now or formerly owned by Paul P. Ragonese et. al. and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 10249 at Folio 368
- 2) North 44 degrees 13 minutes 22 seconds East 400.12 feet; thence still binding on said tract of land in part and also binding on a tract of land now or formerly owned by Sandra Jo. Clay and Mary Rose Campeggi and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 9714 at Folio 581
- 3) South 48 degrees 57 minutes 59 seconds East 876.15 feet to intersect the aforesaid centerline of Cross Street; thence binding on said centerline
- 4) South 43 degrees 20 minutes 28 seconds West 390.22 to the point of beginning

Containing 347019 square feet or 7.967 acres of land more or less

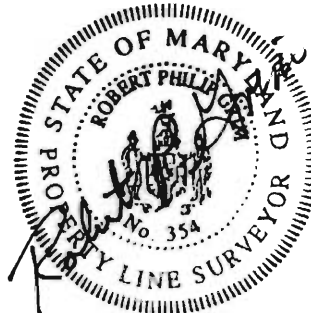
Being all of the same tract of land as in a deed between the Estate of Milton B. Schott, Sr. and Ermann Florio and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 8335 at Folio 308. Also Known as 9534 Cross Road (Florio Property).

Said property has been subdivided into 19 lots in which Zoning Variance is hereby requested for 8 of those lots as follows:

Lot 3, containing 0.1236 acres  
Lot 4, containing 0.1889 acres  
Lot 14, containing 0.1515 acres  
Lot 15, containing 0.1137 acres  
Lot 16, containing 0.1118 acres  
Lot 17, containing 0.1882 acres  
Lot 18, containing 0.1241 acres  
Lot 19, containing 0.2436 acres

Total: 1.2454 acres

KCI TECHNOLOGIES, INC.



www.kci.com

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02-439-A

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 12632

DATE 4/9/02 ACCOUNT R-001-006-6150  
AMOUNT \$ 650.00

RECEIVED FROM: Crossroad Development, LLC  
FOR: D2-439-A 9534 Cross Road (Florio  
Property)

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

| BUSINESS                            | ACTUAL                    | TIME              |
|-------------------------------------|---------------------------|-------------------|
| 6/10/2002                           | 4/09/2002                 | 15:34:10          |
| REG 4302                            | MAIL                      | JENA JEE DRAMER 2 |
| >> RECEIPT # 196744 4/09/2002 (FLJ) |                           |                   |
| Dept                                | 5 528 ZONING VERIFICATION |                   |
| CR NO.                              | 012632                    |                   |
| Recpt Tot                           | \$650.00                  |                   |
| 650.00                              | OK                        | .00 CA            |
| Baltimore County, Maryland          |                           |                   |

CASHIER'S VALIDATION

# 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: #02-439-A

9534 Cross Road

NW/S of Cross Road, 2191.48' NE of Chapel Road

11th Election District - 5th Councilmanic District

Legal Owner(s): Ermanno Florio

**Variance:** to allow rear yard setback from required 30 feet to 24 feet on lot #3 and from 30 to 25 feet on lots 14, 15, 16, 17, 18, 19 and 4; also to allow an open projection for decks as close as 13 feet from the rear property line in lieu of the required 22.5 feet on lots #14, 15, 16, 17, 18, 19 4 and 3.

**Hearing:** Friday, May 31, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

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

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

5/215 May 16

C538453

## CERTIFICATE OF PUBLICATION

5/16/, 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 5/16/, 2002.

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

J. Wilkinson

LEGAL ADVERTISING

15

## CERTIFICATE OF POSTING

|                                                  |                 |            |          |
|--------------------------------------------------|-----------------|------------|----------|
| .1 <sup>st</sup> brand fax transmittal memo 7671 |                 | # of pages | 1        |
| To                                               | BETTY LOE ROBIN | From       | O'KEEFE  |
| Co.                                              | ZONING - COMM   | Co.        |          |
| Dept.                                            |                 | Phone #    | 512-4621 |
| Fax #                                            | 887-3468        | Fax #      | 666-0929 |

RE Case No. 02-439-APetitioner/Developer: FLORIO, ETALDate of Hearing/Closing: 5/31/02

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

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 #9534 CROSS RD.

The sign(s) were posted on

5/15/02

(Month, Day, Year)

Sincerely,



(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)



# 9534-439-A  
FLORIO CROSS RD  
5/31/02

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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 02-439-A  
Petitioner: Crossroad Development, LLC  
Address or Location: 9534 Cross Road (Florio Property)

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: CROSSROAD DEVELOPMENT L.L.C.  
Address: 4030 NORTHPOINT BLVD  
BALTIMORE MD 21222  
\_\_\_\_\_  
Telephone Number: 410-477-2050

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY  
Thursday, May 16, 2002 Issue – Jeffersonian

Please forward billing to:

Crossroads Development LLC  
Ermanno Florio  
4030 North Point Blvd  
Baltimore MD 21222

410 477-2050

---

## 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: 02-439-A  
9534 Cross Road  
NW/S of Cross Road, 2191.48' NE of Chapel Road  
11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District  
Legal Owner: Ermanno Florio

Variance to allow rear yard setback from required 30 feet to 24 feet on lot #3 and from 30 to 25 feet on lots 14, 15, 16, 17, 18, 19 and 4; also to allow an open projection for decks as close as 13 feet from the rear property line in lieu of the required 22.5 feet on lots # 14, 15, 16, 17, 18, 19, 4 and 3.

HEARING: Friday, May 31, 2002 at 9:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDC  
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

April 29, 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: 02-439-A  
9534 Cross Road  
NW/S of Cross Road, 2191.48' NE of Chapel Road  
11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District  
Legal Owner: Ermanno Florio

Variance to allow rear yard setback from required 30 feet to 24 feet on lot #3 and from 30 to 25 feet on lots 14, 15, 16, 17, 18, 19 and 4; also to allow an open projection for decks as close as 13 feet from the rear property line in lieu of the required 22.5 feet on lots # 14, 15, 16, 17, 18, 19, 4 and 3.

HEARING: Friday, May 31, 2002 at 9:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon G.D.Z.  
Director

C: Crossroad Development LLC, Ermanno Florio, 4030 North Point Road,  
Baltimore 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 16, 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.



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

May 24, 2002

Crossroad Development, LLC  
Ermanno Florio, Manager  
4030 North Point Blvd.  
Baltimore, MD 21222

Dear Mr. Florio:

RE: Case Number: 02-439-A, 9543 Cross Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 4/9/02.

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.

Supervisor, Zoning Review

WCR:

Enclosures

c: People's Counsel

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



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Baltimore County  
Fire Department

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

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

April 18, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 8, 2002

Item No.: See Below

Dear Mr. 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.

The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

426-435, 437-439

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

cc: File  
COUNTY REVIEW GROUP MEETING{PRIVATE }

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

**DATE:** May 21, 2002

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

**SUBJECT:** Zoning Advisory Committee Meeting  
for April 22, 2002  
Item Nos. 424, 427, 428, 429, 430, 431,  
433, 434, 435, 436, 437, 438, 439, 440,  
441 and 442

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

RWB:CEN:cab

cc: File

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS/TGT*

DATE: May 10, 2002

Zoning Reclass/ Redistricting Petitions

**SUBJECT:** NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

CASES 454-457

Zoning Advisory Committee Meeting of April 22, 2002

**SUBJECT:** NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

424, 428, 429, 431, 433, 434, 435, 437, 438, 439, 440, 442

File  
5/31

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** April 23, 2002

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

APR 30 2002

**SUBJECT:** 11715 Jerome Avenue

**INFORMATION:**

**Item Number:** 02-439

**Petitioner:** Crossroad Development, LLC

**Zoning:** DR 3.5H

**Requested Action:** Variance

**SUMMARY OF RECOMMENDATIONS:**

The Office of Planning supports the petitioner's request to allow rear yard setbacks of 25 feet in lieu of the minimum required 30 feet for lots 14, 15, 16, 17, 18, 19 and 4; to allow open projection for decks up to 13 feet from the rear property line in lieu of the minimum required 22 1/2 feet. This office also supports the request to allow a rear yard setback of 24 feet in lieu of the minimum required 30 feet for lot 3, and to amend the Final Development Plan for the Florio Property subject to the following:

1. The developer shall use a split rail fencing for the stormwater management pond, rather than a chain link fence.

**Prepared by:**

*Maetha A. Gump*

**Section Chief:**

**AFK/LL:MAC:**

*Jeffrey W. Long*



**Maryland Department of Transportation  
State Highway Administration**

Parris N. Glendening  
Governor

John D. Porcari  
Secretary

Parker F. Williams  
Administrator

Date: 4.18.02

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

RE: Baltimore County  
Item No. 435 J-17

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,

1- Kenneth A. McDonald Jr., Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

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

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

RE: PETITION FOR VARIANCE  
9534 Cross Road, NW/S Cross Rd,  
2191.48' NE of Chapel Rd  
11th Election District, 5th Councilmanic

Legal Owner: Crossroad Development, LLC  
Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case No. 02-439-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.**



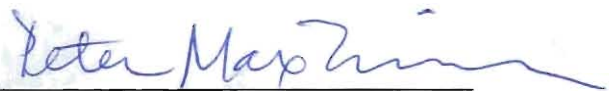
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



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

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 2<sup>nd</sup> day of May, 2002 a copy of the foregoing Entry of Appearance was mailed to Ermanno Florio, Manager, Crossroad Development, LLC, 4030 North Point Blvd., Baltimore, MD 21222, Petitioner.



PETER MAX ZIMMERMAN



P.O. Box 63 Perry Hall, Maryland 21128

<http://www.bcpl.net/~phia>

[phia@mail.bcpl.net](mailto:phia@mail.bcpl.net)

**RESOLVED:** That at the Board of Directors meeting of the Perry Hall Improvement Association held on Sunday, January 13, 2002, it was decided by the Association that responsibility for review and action on all zoning matters for the period 2002-2003 be placed in the Zoning, Development, and Permits Committee consisting of the following members, each of whom is hereby authorized to testify on behalf of the Association before the County Board of Appeals or other duly constituted zoning agency, body, or commission:

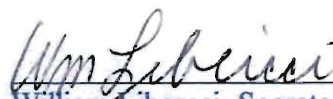
Chairman Dennis Eckard;  
Debra Beaty  
William Libercci  
Beverly Long  
Brenda Ward  
Edward Watts

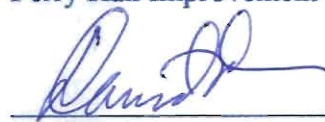
David Marks, president of the Perry Hall Improvement Association (ex officio committee member)

As witness our hands and seal this 13th day of January, 2002.

ATTEST:

Perry Hall Improvement Association

  
William Libercci, Secretary

  
David Marks, President



IMPROVEMENT ASSOCIATION, INC.

P.O. Box 63 Perry Hall, Maryland 21128

<http://www.bcpl.net/~phia>

[phia@mail.bcpl.net](mailto:phia@mail.bcpl.net)

**RESOLVED:** That the position of the Perry Hall Improvement Association as adopted by the Zoning, Development, and Permits Committee on the zoning matter known as:

*ZADM (Florio property)  
X1-735*

is that:

*PHIA opposes request for variances*

As witness our hands and seal this 29<sup>th</sup> day of May, 2002.

ATTEST:

Perry Hall Improvement Association

William Libercci, Secretary

David Marks, President

AFFIVADIT

STATE OF MARYLAND  
BALTIMORE COUNTY, SS:

To WIT:

I hereby swear under penalty of perjury that I am currently a duly elected member of the Zoning, Development, and Permits Committee of the Perry Hall Improvement Association.

ATTEST:

Perry Hall Improvement Association

  
\_\_\_\_\_  
William Libercci, Secretary

  
\_\_\_\_\_  
David Marks, President

Date: January 13, 2002

**Case Number** \_\_\_\_\_

PLEASE PRINT LEGIBLY

## PETITIONER'S SIGN-IN SHEET

[illegible]

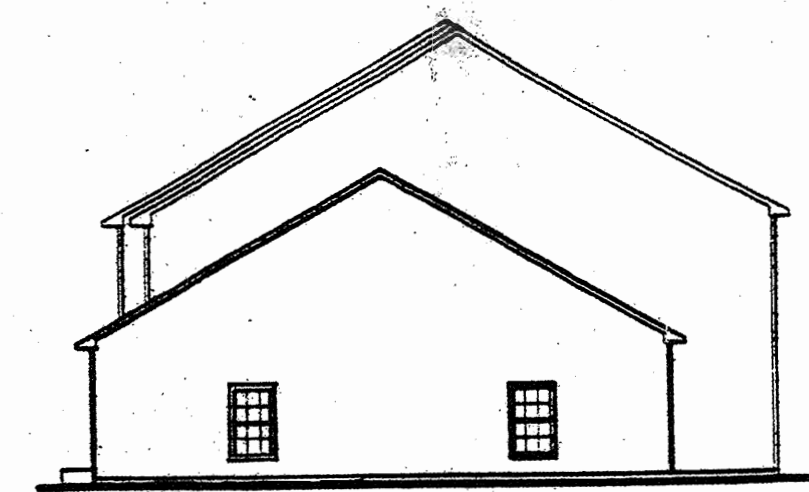
**Case Number** \_\_\_\_\_

**PLEASE PRINT LEGIBLY.**

## PROTESTANT'S SIGN-IN SHEET

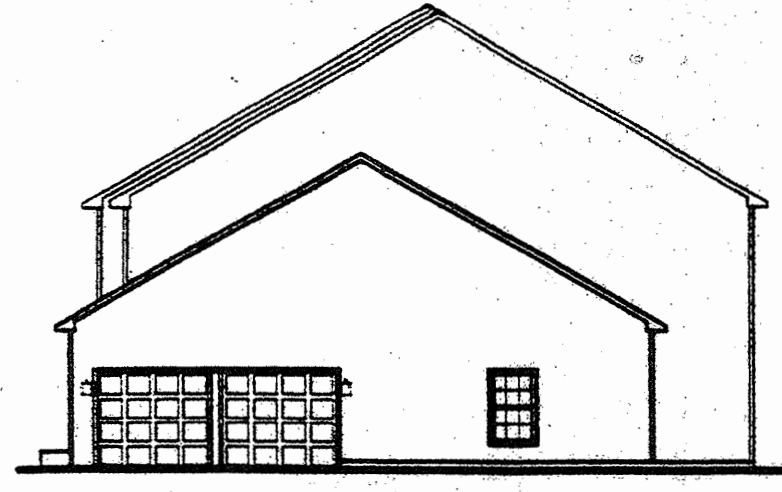
[illegible]

| RESIDENTIAL BUILDING SETBACKS- D.R. ZONES<br>HONEYGO OVERLAY DISTRICT                                                                                                                                                                                                              |                                                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                    | D.R. 35 H &<br>D.R. 35 HI                                             |
| From building face to:<br>right-of-way of a<br>collector street,<br>neighborhood street, alley<br>or court.<br>(not applied to porches or stoops<br>in front yard)                                                                                                                 | 10'                                                                   |
| From building face to<br>right-of-way of a major or minor<br>arterial or collector road.<br>(not applied to porches or stoops<br>in front yard)                                                                                                                                    | 40'                                                                   |
| From building face to:<br>Rear property line<br>(Except for unroofed additions<br>including patios and decks and<br>roofed additions which do not<br>exceed in width 50% of the<br>dwelling unit and which do not<br>extend more than 10 feet into<br>the rear yard setback area.) | 30'                                                                   |
| From building face to:<br>The side yard lot line that is not<br>adjacent or the same as a public<br>right of way if the dwelling unit has a<br>side or rear entry garage.                                                                                                          | 6'<br>(sum of all side<br>yard widths may<br>not be less than<br>20') |
| Front entry garage shall be<br>recessed behind the front facade of<br>the dwelling.                                                                                                                                                                                                | 8' min.                                                               |
| This table lists minimum setback requirements for urban<br>residential use. For a fuller explanation of these and<br>other requirements, consult the Comprehensive Manual<br>of Development Policies (CMDP) and Bill 73-99.                                                        |                                                                       |



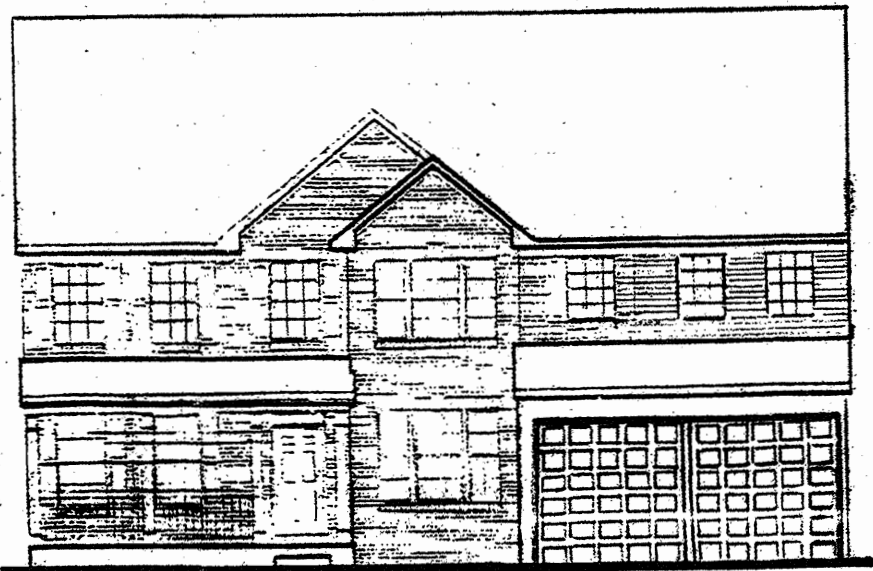
TYPICAL SIDE ELEVATION

N.T.S.  
(MUST COMPLY WITH SECTION 259.9.C.3, a & b)  
(DIVIDER REQUIRED WHEN DOORS FACE THE STREET)



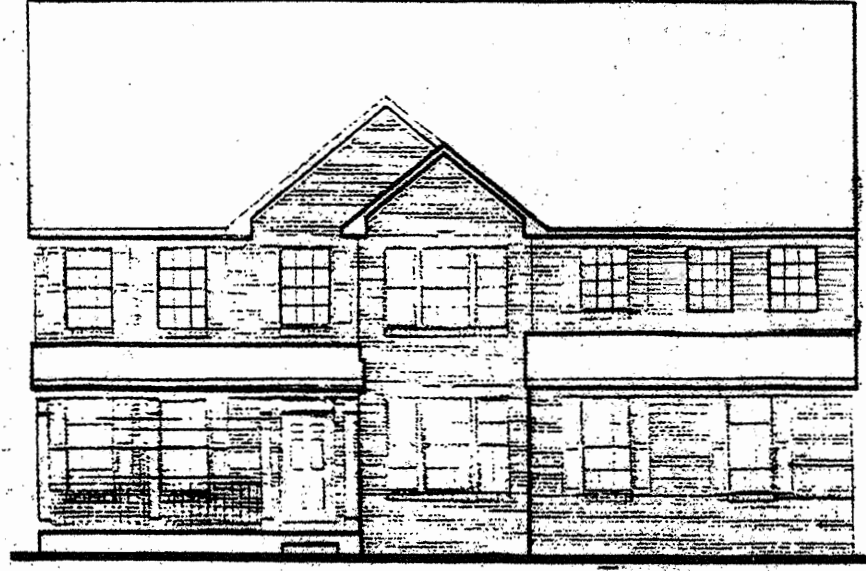
TYPICAL SIDE ELEVATION W/SIDE LOAD GARAGE

N.T.S.  
(MUST COMPLY WITH SECTION 259.9.C.3, a & b)  
(DIVIDER REQUIRED WHEN DOORS FACE THE STREET)



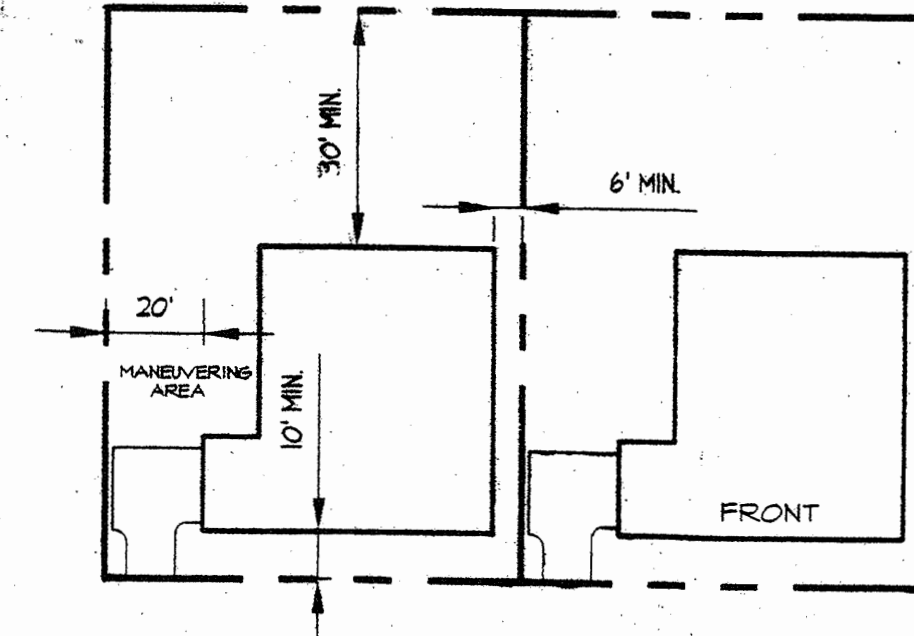
TYPICAL FRONT ELEVATION W/GARAGE

N.T.S.  
(MUST COMPLY WITH SECTION 259.9.C.4 AND C.5 : APPROVED  
MATERIALS ARE DEFINED AS BRICK AND STONE.)



TYPICAL FRONT ELEVATION

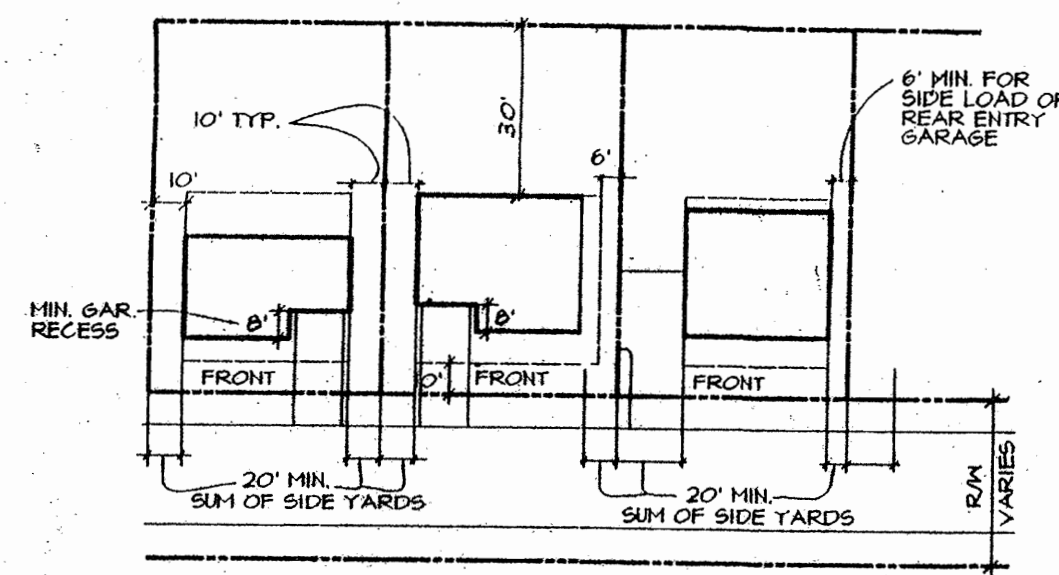
N.T.S.  
(MUST COMPLY WITH SECTION 259.9.C.4 AND C.5 : APPROVED  
MATERIALS ARE DEFINED AS BRICK AND STONE.)



PROPOSED TYP. SIDE ENTRY GARAGE LOT LAYOUT DETAIL

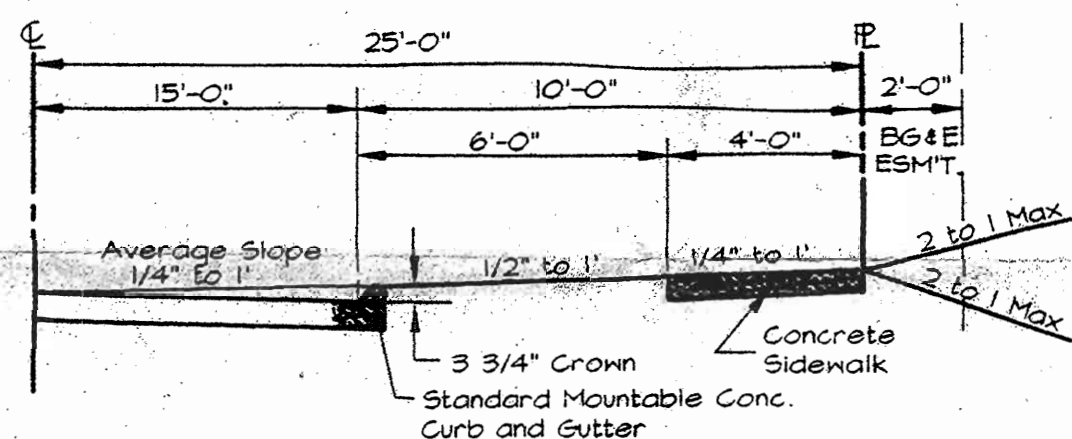
N.T.S.

FRONT LOAD GARAGE SIDE LOAD GARAGE  
(TYPICAL) (TYPICAL)



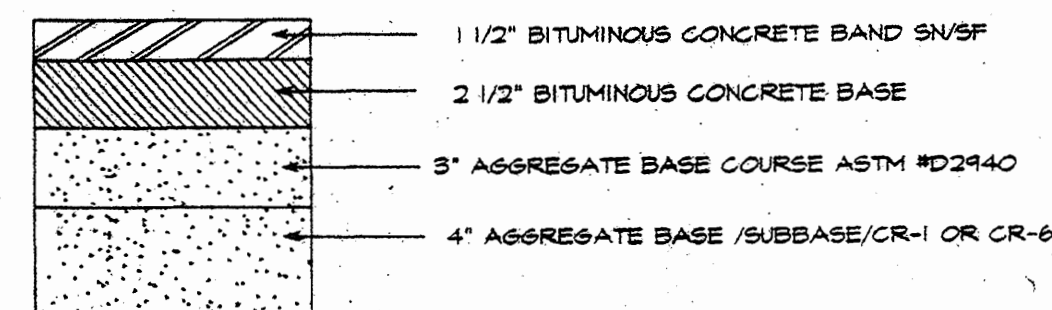
TYPICAL LOT LAYOUT

N.T.S.  
Note: Florio Drive 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.



TYPICAL PAVING SECTION 30/50

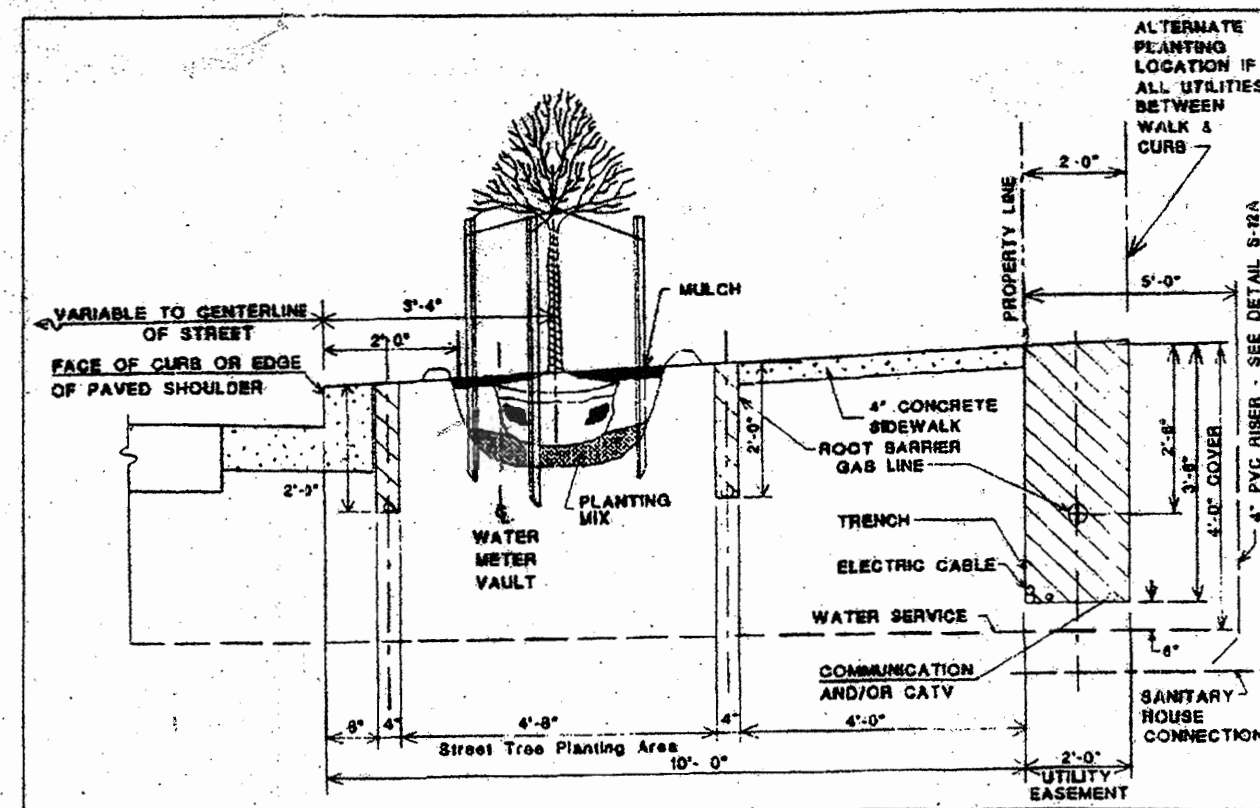
N.T.S.



THE ABOVE TYPICAL SECTION IS FOR REFERENCE ONLY.  
THE ULTIMATE PAVING SECTION IS TO BE DETERMINED  
BY THE ON-SITE GEOTECHNICAL ENGINEER BASED ON  
HIS EVALUATION OF THE SOIL CHARACTERISTICS.

TYPICAL PAVING SECTION

N.T.S.



TYPICAL SIDEWALK/STREET TREE DETAIL

(BALTO. CO. PLATE 6-5A)

N.T.S.

#### EXCERPTS FROM THE HONEYGO DEVELOPMENT STANDARDS

COMPLIANCE WITH THE FOLLOWING DEVELOPMENT  
STANDARDS MUST BE APPROVED (I.E. INITIALED AND DATED)  
BY THE OFFICE OF PLANNING. PRIOR TO APPLICATION  
FOR BUILDING PERMIT

295.9 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 (see Sections 259.9.G.1  
through 259.9.G.4 below) of this section. **ALSO SEE NOTE 26 SHEET 2**

#### A. Uses. (Bill No. 73-1999)

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 1801.1.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 35 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 1801.2.C  
apply to development in the overlay districts. In the districts, the  
minimum residential dwelling setbacks are:

- 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;
- Forty feet from the right-of-way of a major or minor arterial or  
collector road, as defined in these regulations;
- Not applied to porches or stoops in front yards; and
- 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.

- Except for properties with approved development plans or  
CRG plans, 50 feet from the rear property line 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. (Bill No. 73-1999)

- 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.

- 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.

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)

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.

8. Stormwater management pond slopes, where management is not  
provided through a regional facility, shall not exceed a ratio of 3:1  
AS APPROVED DEVELOPMENT PLAN AND AS APPROVED BY DEPMM UNDER  
BILL NO. 105-84 WITH 3:1 EXTERIOR SLOPES AND  
2:1 INTERIOR SLOPES.

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

#### F. Parking standards

1. The provision of Section 409.6 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.

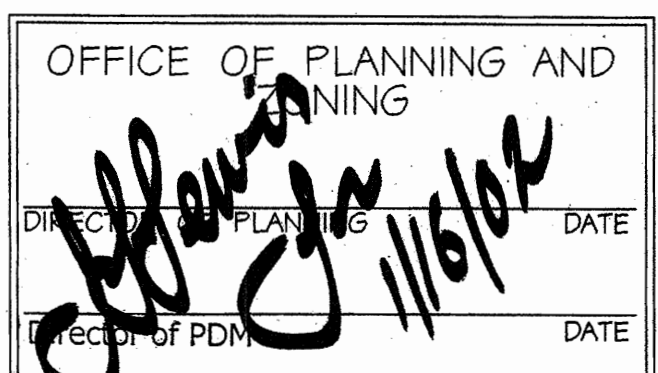
2. Where the provisions of this section are silent, the provisions of these  
regulations governing the underlying zone shall apply.

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)

4. Notwithstanding the provisions of Section 26-216 of the Baltimore  
County Code, 1988 Edition, as revised, the provisions of this section  
do not apply to any property with an unexpired CRG plan that was  
approved prior to May 17, 1992.

THIS FINAL DEVELOPMENT PLAN COMPLIES WITH ALL COUNTY  
COMMENTS AND IS IN AGREEMENT WITH THE DEVELOPMENT OR  
CRG PLANS AND ALL OTHER APPROVED PLANS AND/OR ZONING  
AND DEVELOPMENT HEARING ORDERS.

THIS SITE IS IN THE HONEYGO OVERLAY DISTRICT H AND H-1  
AND IS WITHIN THE BELAIR ROAD SUBAREA AND IS SUBJECT  
TO THE APPLICABLE HONEYGO AREA REGULATIONS AS WELL AS  
OTHER BALTIMORE COUNTY ZONING REGULATIONS.



THE DEVELOPMENT PLAN FOR THIS SITE  
WAS APPROVED ON MARCH 22, 1996.

I HEREBY CERTIFY THAT I REVIEWED WITH DUE DILIGENCE THE APPROVED  
DEVELOPMENT PLAN DATED MARCH 22, 1996 AND HAVE PREPARED WITH DUE  
DILIGENCE THIS FINAL DEVELOPMENT PLAN PURSUANT TO THAT APPROVED  
DEVELOPMENT PLAN.

1ST AMENDED

FINAL DEVELOPMENT PLAN  
**FLORIO PROPERTY**

ELECTION DISTRICT 11

BALTIMORE COUNTY

COUNCILMANIC DISTRICT 5

| SHEET | DATE          | JOB    |
|-------|---------------|--------|
| 2     | SEPT. 6, 2001 | NUMBER |
| OF    | SCALE         |        |
| 3     | AS SHOWN      |        |

| Drafting | DATE | REVISIONS |
|----------|------|-----------|
| Check    |      |           |
| Design   |      |           |
| Check    |      |           |

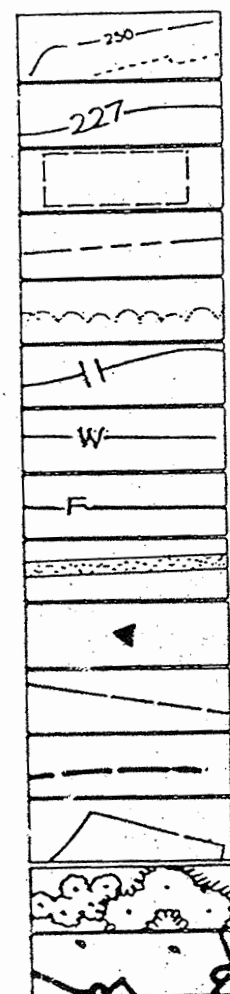
ENGINEERS AND PLANNERS  
10 NORTH PARK DRIVE  
HUNT VALLEY, MARYLAND 21030  
(410) 316-7800

OWNER/DEVELOPER : ERMANNIO FLORIO  
15218 DULANEY VALLEY ROAD  
GLEN ARM, MD. 21057-9613  
(410) 477-2050



01-95029

## LEGEND



EXISTING CONTOURS  
PROPOSED CONTOURS  
EXISTING STRUCTURE  
PROPERTY BOUNDARY  
EXISTING TREE LINE  
SOIL TYPES  
WETLAND LIMIT  
FOREST BUFFER LIMIT  
PROPOSED 4' WIDE SIDEWALK  
PROPOSED STREET LIGHT  
PROPOSED LOT LINE  
PROPOSED ROAD RIGHT-OF-WAY  
PROPOSED BUILDING ENVELOPE  
PROPOSED STREET TREE  
PROPOSED LANDSCAPE SCREENING

STATE OF MARYLAND  
DEPARTMENT OF THE ENVIRONMENT  
WATER MANAGEMENT ADMINISTRATION  
LETTER OF AUTHORIZATION

AUTHORIZATION NUMBER: 00-NT-0179/200064161

EFFECTIVE DATE: November 20, 2000

EXPIRATION DATE: November 20, 2003

AUTHORIZED PERSON: Ermanno Florio  
13218 Dulany Valley Road  
Glen Arm, Maryland 21057

IN ACCORDANCE WITH ENVIRONMENT ARTICLE 85-509(a) AND 85-506(a), ANNOTATED CODE OF MARYLAND (1996 REPLACEMENT VOLUME), COMAR 26.23.01 AND 26.17.04, AND THE ATTACHED CONDITIONS OF AUTHORIZATION, Ermanno Florio ("AUTHORIZED PERSON"), IS HEREBY AUTHORIZED BY THE WATER MANAGEMENT ADMINISTRATION ("ADMINISTRATION") TO CONDUCT A REGULATED ACTIVITY IN A NONTIDAL WETLAND, BUFFER, OR EXPANDED BUFFER, AND/OR TO CHANGE THE COURSE, CURRENT OR CROSS-SECTION OF WATERS OF THE STATE, IN ACCORDANCE WITH PLANS APPROVED BY THE WATER MANAGEMENT ADMINISTRATION, NONTIDAL WETLANDS AND WATERWAYS DIVISION November 20, 2000 ("APPROVED PLAN") AND PREPARED BY KCI Technologies AND INCORPORATED HEREIN, AS DESCRIBED BELOW:

Construction of a stormwater management pond to provide management for a residential development identified as the Florio Property. The project will result in impacts to 13,750 square feet of the 24-foot nontidal wetland buffer. The project is located on the northwest side of Cross Road approximately 2,000 feet from Chapel Road near Perry Hall, Baltimore County. The wetland buffer to be impacted is within the Honeygo Run watershed (Use IV).

MD Grid Coordinates: 575,000 ± N; 955,000 ± E

## LANDSCAPE PLAN NOTE

A landscape plan must be approved by the Office of Planning prior to the issuance of a building permit.

## ACCESSORY STRUCTURE NOTE

- Envelopes shown hereon are for the location of all principal buildings only. Accessory structures, fences and projections into yards may be constructed outside the envelope, but must comply with Sections 400 and 301 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building permits.)
- Accessory structures, fences and projections into yard cannot be located in floodplain areas or hydric soils.

HONEYGO OVERLAY DISTRICT  
SETBACK REQUIREMENTS

|                                                      | MINIMUM BUILDING SETBACK |
|------------------------------------------------------|--------------------------|
| From right-of-way of an alley                        | 4 feet                   |
| From right-of-way of neighborhood street or court    | 10 feet                  |
| From right-of-way line of arterial or collector road | 40 feet                  |
| Minimum building-to-building setback                 | 20 feet                  |
| Minimum rear yard setback                            | 30 feet                  |

| SOIL SERIES DATA |                                    |                                                            |                                                            |                                                            |
|------------------|------------------------------------|------------------------------------------------------------|------------------------------------------------------------|------------------------------------------------------------|
| SYMBOL           | DESCRIPTION                        | STREETS/PARKING                                            | HOMESITES W/O BASEMENTS                                    | HOMESITES W/ BASEMENTS                                     |
| BtB              | Beltsville silt loam 2%-5% slopes  | Moderate; seasonally perched H <sub>2</sub> O table        | Slight                                                     | Moderate; seasonally perched H <sub>2</sub> O table        |
| Em               | Elkton loam                        | Severe; high H <sub>2</sub> O table; poor natural drainage | Severe; high H <sub>2</sub> O table; poor natural drainage | Severe; high H <sub>2</sub> O table; poor natural drainage |
| Fs               | Fallsington loam                   | Severe; high H <sub>2</sub> O table; poor natural drainage | Severe; high H <sub>2</sub> O table; poor natural drainage | Severe; high H <sub>2</sub> O table; poor natural drainage |
| ShB              | Sassafras sandy loam; 2%-5% slopes | Moderate; slope                                            | Slight                                                     | Slight                                                     |
| WdB              | Woodstown sandy loam; 2%-5% slopes | Moderate; moderately high H <sub>2</sub> O table; slope    | Slight                                                     | Moderate; moderately high H <sub>2</sub> O table           |

## FORIST CONSERVATION NOTES

- "There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Conservation Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management."
- "Any Forest Conservation 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."
- "There shall be no clearing, grading, construction, soil compaction or excavation introduction of toxic chemicals or other disturbances detrimental to the live specimen trees or critical root zones for these trees except as permitted by the Baltimore County Department of Environmental Protection and Resource Management."

|        |                                   |                                                     |                         |                                                     |
|--------|-----------------------------------|-----------------------------------------------------|-------------------------|-----------------------------------------------------|
| SYMBOL | DESCRIPTION                       | STREETS/PARKING                                     | HOMESITES W/O BASEMENTS | HOMESITES W/ BASEMENTS                              |
| BtB    | Beltsville silt loam 2%-5% slopes | Moderate; seasonally perched H <sub>2</sub> O table | Slight                  | Moderate; seasonally perched H <sub>2</sub> O table |

| Drafting | DATE    | REVISIONS                        |
|----------|---------|----------------------------------|
| Check    | 1/14/02 | ADDED EASEMENTS 1ST AMENDED PLAN |
| Design   |         |                                  |
| Check    |         |                                  |



ENGINEERS AND PLANNERS  
10 NORTH PAPP DRIVE  
HUNT VALLEY, MD. 21030-888  
(410) 316-7800

OWNER/DEVELOPER: ERMANNIO FLORIO  
13218 Dulany Valley Road  
Glen Arm, Md. 21057-9613  
(410) 477-2050



Baltimore County  
Zoning Commissioner

February 14, 2001

Mr. Ermanno Florio  
4030 North Point Boulevard  
Baltimore, Maryland 21222

RE: DEVELOPMENT PLAN HEARING  
NW/S Cross Road, 2,191.48' NE of Chapel Road (9534 Cross Road)  
Case No. XI-735

Dear Mr. Florio:

This letter is to follow-up my letter to you of January 31, 2001 regarding the validity of the development plan in the above-captioned matter.

By way of background, development plan approval was granted on March 14, 1996 for the proposed subdivision/development of the subject property with 19 single family dwellings, in accordance with the red-lined development plan submitted therein. Under Section 26-216 of the Baltimore County Code, validity of a development plan expires five (5) years from the date of its approval. Thus, it was initially believed that validity of your plan would expire on March 14, 2001. However, a further review of Section 26-217 of the Code provides for a tolling of that expiration, by reason of a deficiency in the basic services for water, sewer or transportation (see Section 26-217(a)(1)). Further, that Code Section indicates that the approval of the plan shall be extended for so long as the deficiency exists which prohibits development.

In your case, you were prohibited from moving forward with your plan, due to the lack of authorizations available as set out in the zoning regulations for the Honeygo District. Therefore, the expiration of the plan has been extended, or tolled. However, by my Order of January 24, 2001 in combined Cases Nos. 99-331-SPH and 01-205-A, relief was granted to approve 19 authorizations, due to the availability of existing public water and sewer facilities adjacent to the subject site. Thus, in that the prohibition against development of your property has been remedied by that Order, expiration of the validity of your development plan will not occur until five (5) years from the date of that Order, or January 24, 2006.

Please do not hesitate to contact me should you have any further questions in this regard.

Very truly yours,

*Lawrence E. Schmidt*  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LBS:bjs

cc: Mr. John R. Clark, 2820 Reckord Road, Fallston, Md. 21047  
Ronald Decker, Esquire, 4111 E. Joppa Road, Suite 201, Baltimore, Md. 21236  
Office of Law; Office of Planning; DPW; Don Rascoe, DPDM; People's Counsel; Case File  
Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)

"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. The Forest Buffer Easement and building setback shown hereon are reflective of the fact that this variance was granted. Permanent fencing and posting of the Forest Buffer Easement were required as conditions of this variance to reduce water quality impacts.

## SETBACK VARIANCE CHART

| LOT NO. | LOT AREA                | REAR PROPERTY LINE        | OPEN PROJECTION              |
|---------|-------------------------|---------------------------|------------------------------|
| 3       | 538.2 #<br>0.1232 AC ±  | PRES. 20'<br>PROPOSED 24' | PRES. 22.50'<br>PROPOSED 15' |
| 4       | 823.0 #<br>0.1880 AC ±  | PRES. 20'<br>PROPOSED 25' | PRES. 22.50'<br>PROPOSED 15' |
| 14      | 660.0 #<br>0.1518 AC ±  | PRES. 20'<br>PROPOSED 25' | PRES. 22.50'<br>PROPOSED 15' |
| 15      | 405.3 #<br>0.1137 AC ±  | PRES. 20'<br>PROPOSED 25' | PRES. 22.50'<br>PROPOSED 15' |
| 16      | 487.0 #<br>0.1118 AC ±  | PRES. 20'<br>PROPOSED 25' | PRES. 22.50'<br>PROPOSED 15' |
| 17      | 514.8 #<br>0.1182 AC ±  | PRES. 20'<br>PROPOSED 25' | PRES. 22.50'<br>PROPOSED 15' |
| 18      | 540.0 #<br>0.1241 AC ±  | PRES. 20'<br>PROPOSED 25' | PRES. 22.50'<br>PROPOSED 15' |
| 19      | 1066.1 #<br>0.2436 AC ± | PRES. 20'<br>PROPOSED 25' | PRES. 22.50'<br>PROPOSED 15' |
| TOTAL   | 5120.0 #<br>1.1784 AC ± |                           |                              |

- REASON FOR 1ST AMENDMENT
- ADDED EASEMENTS, BETWEEN LOTS 3 & 4 AND LOTS 1, 2 & 3
  - NO LOTS HAVE BEEN SOLD WITHIN THIS SUBDIVISION
  - NON-MATERIAL CHANGE

THIS FINAL DEVELOPMENT PLAN COMPLIES WITH ALL COUNTY COMMENTS AND IS IN AGREEMENT WITH THE DEVELOPMENT OR CRG PLANS AND ALL OTHER APPROVED PLANS AND/OR ZONING AND DEVELOPMENT HEARING ORDERS.

THIS SITE IS IN THE HONEYGO OVERLAY DISTRICT H AND H-1 AND IS WITHIN THE BELAIR ROAD SUBAREA AND IS SUBJECT TO THE APPLICABLE HONEYGO AREA REGULATIONS AS WELL AS OTHER BALTIMORE COUNTY ZONING REGULATIONS.

ZADM NO. XI-735

| OFFICE OF PLANNING AND ZONING |      |
|-------------------------------|------|
| Director of Planning          | Date |
| Director of PD                | Date |



THE DEVELOPMENT PLAN FOR THIS SITE  
WAS APPROVED ON MARCH 22, 1996.

I HEREBY CERTIFY THAT I REVIEWED WITH DUE DILIGENCE THE APPROVED DEVELOPMENT PLAN DATED MARCH 22, 1996 AND HAVE PREPARED WITH DUE DILIGENCE THIS FINAL DEVELOPMENT PLAN PURSUANT TO THAT APPROVED DEVELOPMENT PLAN.

PLAN TO ACCOMPANY VARIANCE REQUEST 1ST AMENDED FINAL DEVELOPMENT PLAN

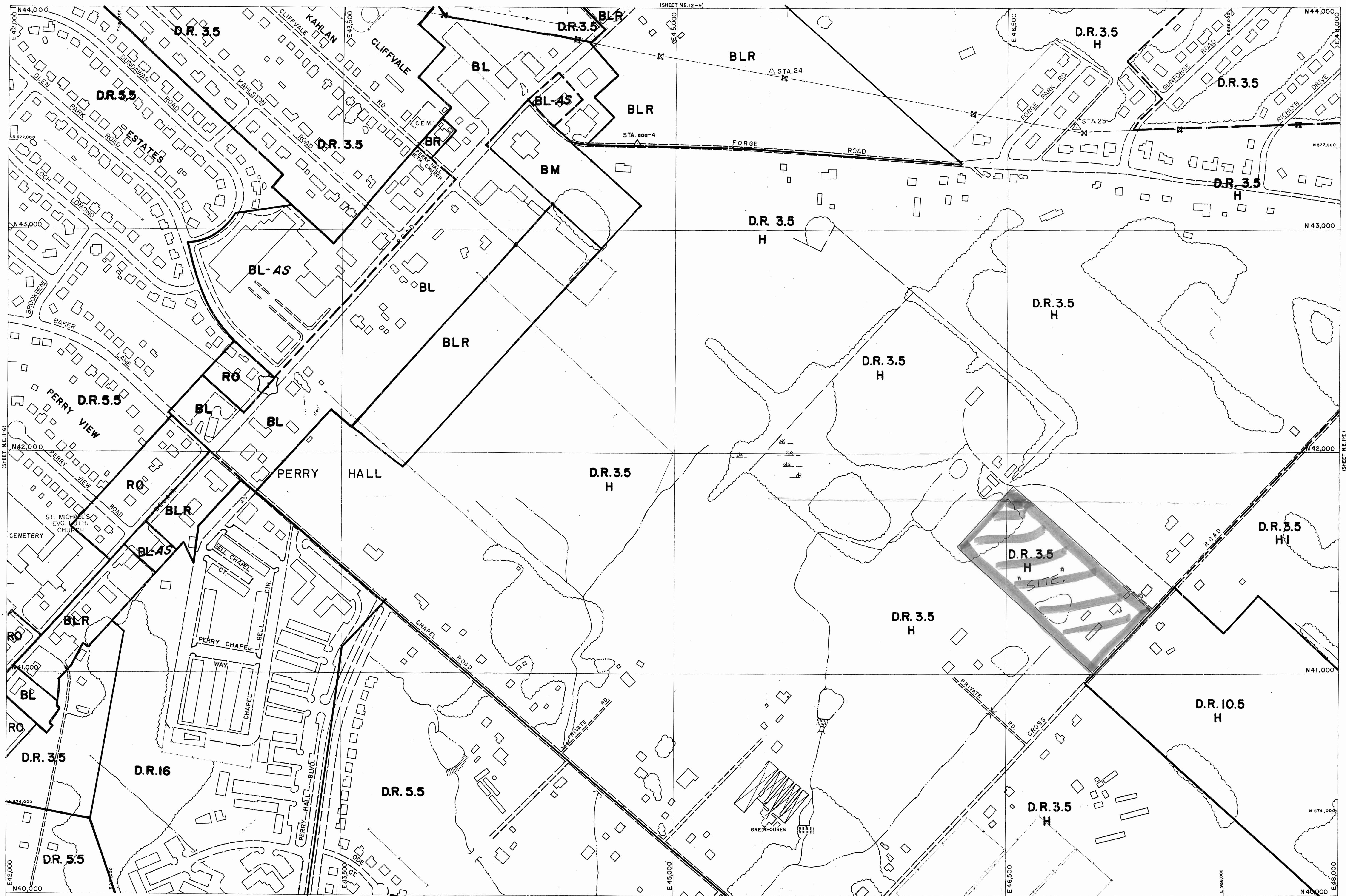
FLORIO PROPERTY

Election District 11

Baltimore County

Councilmanic District 5

| SHEET  | DATE           | JOB NUMBER |
|--------|----------------|------------|
| 1 OF 3 | APR 9, 2002    | 01-95029   |
|        | SCALE 1" = 50' |            |



2000 COMPREHENSIVE ZONING MAP  
 APPROVED BY  
 THE BALTIMORE COUNTY COUNCIL  
 OCTOBER 10, 2000  
 Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00.

*John B. [Signature]*  
 Chairman, County Council

Q - SW    Q - SE  
 M - NW    M - NE

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

# BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

|                                              |                                    |                       |
|----------------------------------------------|------------------------------------|-----------------------|
| SCALE<br>1" = 200' ±                         | LOCATION<br>PERRY HALL<br>VICINITY | SHEET<br>N.E.<br>11-H |
| DATE<br>OF<br>PHOTOGRAPHY<br>JANUARY<br>1986 |                                    |                       |

NE 11 H

02-439-A



**Baltimore County  
Zoning Commissioner**

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

January 24, 2001

Mr. Ermanno Florio  
4030 North Point Boulevard  
Baltimore, Maryland 21222

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE  
NW/S Cross Road, 2,191.48' NE of Chapel Road  
(9534 Cross Road)  
11<sup>th</sup> Election District - 7<sup>th</sup> Council District  
Ermanno Florio - Petitioner  
Cases Nos. 99-331-SPH and 01-205-A

Dear Mr. Florio:

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

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

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bj

cc: Mr. John R. Clark  
2820 Reckord Road, Fallston, Md. 21047  
Ronald Decker, Esquire  
4111 E. Joppa Road, Suite 201, Baltimore, Md. 21236  
Office of Law, Office of Planning, DPW, People's Counsel, Case File

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE - NW/S Cross Road, 2,191.48' NE of Chapel Road (9534 Cross Road) 11<sup>th</sup> Election District 7<sup>th</sup> Council District  
Ermanno Florio  
Petitioner  
• BEFORE THE  
• ZONING COMMISSIONER  
• OF BALTIMORE COUNTY  
• Cases Nos. 99-331-SPH & 01-205-A

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

These matters come before this Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed separately by the owner of the subject property, Ermanno Florio. Specifically, in February 1999, the Petitioner filed for special hearing relief under Case No. 99-331-SPH seeking approval of 19 authorizations (building permits) in the Belair Road Sub-area of the Honeygo District, due to the availability of existing public water and sewer facilities to the subject site. At the public hearing held on April 7, 1999, Mario (Ermanno) and Lois Florio, property owners, appeared, as did Newton A. Williams, Esquire, attorney for the Petitioner. Appearing as interested persons were Robert Lund, a nearby resident, and John R. Clark, owner of property in a neighboring subdivision, and his attorney, Ronald A. Decker, Esquire. Subsequent to the hearing, written commitments were received from the Office of Planning, through the County's Office of Law, wherein certain issues were raised and objections expressed in opposition to the Petitioners' request. Specifically, those comments opined that this Zoning Commissioner was prohibited from granting the relief requested in the form presented. Due to the lengthy exchange of correspondence that followed regarding this issue, an opinion was not rendered in Case No. 99-331-SPH.

Subsequently, realizing the legal roadblocks presented by his Petition for Special Hearing, Mr. Florio requested relief in an alternate form through the Petition for Variance filed in November, 2000 in Case No. 01-205-A. Under Case No. 01-205-A, the Petitioner seeks relief from Section 259.7.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit sewer connections from the Belair Road Sub-area to a sewer interceptor in a different sub-area (Bean Run). In addition, the Petitioner requests consolidation of this variance request with the special hearing relief requested in Case No. 99-331-SPH. In that the Petitioners request similar relief and present common questions of law and fact, this single opinion is issued.

Appearing at the variance hearing in support of the request were Ermanno Florio, property owner, and Ray Hopkins, a representative of KCI Technologies, Inc., who prepared the site plan for this property. There were no Protestants or other interested persons present.

The subject property at issue is a rectangular shaped parcel located on the northwest side of Cross Road, just east of Chapel Road in Perry Hall. The property contains approximately 8.0 acres in area, zoned D.R.3.5, and is located within the Honeygo Overlay District. As noted above, the Petitioner proposes to develop the site with 19 single family homes, as shown on the site plan submitted into evidence in Case No. 99-331-SPH and marked as Petitioner's Exhibit 1. That plan shows the construction of a new public road, to be known as Florio Drive, which will transect the property from Cross Road to the southeast, into an adjacent property to the northeast. In addition to the proposed 19 homes, the plan also shows areas of forest conservation and forest buffer easements. Additionally, a storm water management reservation area is proposed.

The proposal for this subdivision proceeded through the development review process, as codified in Title 26 of the Baltimore County Code, and was approved by Order of the undersigned Zoning Commissioner on March 14, 1996. Although development plan approval was granted, development of the site has not occurred due to the lack of infrastructure and the Honeygo regulations contained within Section 259 of the B.C.Z.R. That Section was enacted and incorporated as part of the zoning regulations to provide standards for development in the Honeygo District. The requirements contained therein are intended to insure that development in that area will not outpace the installation of infrastructure and that a high degree of quality will be maintained in the development of each individual parcel.

For the purposes of infrastructure, the Honeygo District was divided into four sub-areas; namely, the Belair Road, Honeygo, Bird River, and Bean Run sub-areas. Additionally, the regulations contained within Section 259 of the B.C.Z.R. created a limited number of "authorizations" which could be issued to prospective developers by the Director of the Department of Permits and Development Management (DPDM). By limiting the number of authorizations available, the regulations intend to insure that the infrastructure is in place before development occurs.

As noted above, the subject property is located in the Belair Road sub-area. At this time, there are no authorizations available to this area. Thus, by law, the Petitioner's project has been placed on "hold." Nonetheless, testimony and evidence presented shows that the subject property abuts an adjoining development, known as Perry Hall Farms, and that public sewer exists in front of the Florio property in the form of an 8-inch sanitary sewer. Moreover, although the property is located in the Belair Road sub-area, it is not dependent on the completion of the infrastructure therein, because of the availability of existing improvements which were constructed as a result of the development of Perry Hall Farms. Similarly, a 12-inch water main is located in the bed of Cross Road, along the frontage of the Florio property.

As noted above, the Petitioner originally sought relief through the Petition for Special Hearing filed in Case No. 99-331-SPH, seeking approval of "19 authorizations in the Belair Road sub-area...due to the fact that water and sewer are available to the site." As a result of the legal roadblocks presented by that Petition, Mr. Florio requested relief in an alternate form through the Petition for Variance filed in Case No. 01-205-A. In that matter, the Petitioner requests variance relief from Section 259.7.5 of the B.C.Z.R. That Section governs sewer connections and allows the Director of DPDM to authorize connections to completed sewer interceptors in certain circumstances. Moreover, the Petitioner seeks relief, pursuant to Section 259.8 of the B.C.Z.R., which allows the Zoning Commissioner to variance the requirements of Section 259.7 thereof. Such variances shall be granted after the application of those standards established in Section 4A02.4.F of the B.C.Z.R.

Although the Office of Planning and the Office of Law raised certain concerns and objections to the grant of the special hearing relief, it is to be noted that the Office of Planning supports the Petitioner's request for variance relief in Case No. 01-205-A. Within its Zoning Advisory Committee (ZAC) comments offered in this case, the Office of Planning, "...supports the request to permit sewer connections from the Belair Road sub-area to a sewer interceptor in a different sub-area and to consolidate the above variance with Case No. 99-331-SPH." The Department of Public Works concurs. Through the Development Plans Review division of the Department of Permits and Development Management (DPDM), the Department of Public Works agrees that "...sewerage the Florio property in the directions (sic) of the Bean Run sub-area is the best way. It will save the County from extending the 8-inch diameter sewer in Honeygo Boulevard."

Section 4A02.4.F of the B.C.Z.R. requires a finding that: 1) the demand or impact of the development proposed will be less than that assumed by the district standard that would otherwise restrict or prohibit the development, or that the standard is not relevant to the development proposal; and, 2) that the granting of the Petition will not adversely affect the person whose application was filed prior to the Petitioner's application, in accordance with Section 4A02.7.C.2(b) of the B.C.Z.R.

Based upon the testimony and evidence offered, I am persuaded that these requirements have been met. It is clear that the demand or impact of the proposed development will be less than that assumed by the district standard in this case, inasmuch as sewer and water lines are in place. Moreover, the grant of the Petition for Variance will not adversely affect any person who had filed an application prior to the Petitioner's application. In sum, I concur with the position advanced by the Petitioner, the Office of Planning, and the Department of Public Works. The appropriate remedy in this case is to grant the Petition for Variance approving relief from the requirements of Section 259.7.5. This will allow the Developer to establish the appropriate connections to the existing improvements along the frontage of this property. Thus, the Petition for Variance shall be granted and the Petition for Special Hearing dismissed as moot.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth herein, the Petition for Special Hearing shall be dismissed as moot, and the Petition for Variance granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24<sup>th</sup> day of January, 2001 that the Petition for Special Hearing in Case No. 99-331-SPH seeking approval of 19 authorizations (building permits) in the Belair Road Sub-area of the Honeygo District, due to the availability of existing public water and sewer facilities to the subject site, be and is hereby DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the Petition for Variance in Case No. 01-205-A seeking relief from Section 259.7.5 of the Baltimore County Zoning Regulations (B.C.Z.R.), pursuant to Section 259.8 thereof, to permit sewer connections from the Belair Road Sub-area to a sewer interceptor in a different sub-area (Bean Run), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bj



**Baltimore County  
Department of Environmental Protection  
and Resource Management**

Mr. Ermanno Florio  
4030 North Point Road  
Baltimore, MD 21222

February 13, 2001

RE: Florio Property at Cross Road  
Forest Buffer Variance  
Request

Dear Mr. Florio:

This Department received the above referenced variance request to the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains on February 2, 2001. If granted, the variance would allow four additional lots in the approved major subdivision (specifically lots 5, 6, 7, & 10) to have 15 foot setbacks to the Forest Buffer Easement in lieu of the required 35 feet.

A similar variance was previously granted by this Department on January 23, 1995 to allow a reduced setback of 15 feet on lots 4, 11, & 12 with permanent protective fencing along the entire Forest Buffer Easement. However, there was some confusion about whether that variance granted relief on two or three lots. Therefore to clarify our position, that 1995 variance shall affect lots 4, 11, & 12 only and its conditions still stand.

In order to grant a variance, the director must find that an unreasonable hardship would result from a literal interpretation of the regulations and that minimal impacts to water quality would result were the variance granted. We have concluded that the orientation of the resources on the property causes a practical difficulty. Moreover, we find that an unreasonable hardship exists in that you bought this property at a higher density zoning (D.R. 5.5 & D.R. 16) and only to have it downzoned by Baltimore County to D.R. 3.5 shortly thereafter. Furthermore, Baltimore County's Zoning Regulations have changed since development plan approval to now allow front entry garages. Having off-street parking in garages attached to the dwellings would significantly increase the marketability of the development. Thus, in order to minimize deviation of your property, you are proposing 19 lots with the majority having front entry garages to take advantage of this opportunity to increase the value of the units in this subdivision.

Although there are no direct impacts to the Forest Buffer Easement proposed, the chief concern in granting this variance is the potential for additional encroachment into the Forest Buffer Easement by future homeowners due to reduced yard area.

Based on these findings and pursuant to our February 8, 2001 meeting with you and your engineer, it is the intention of this Department to grant a variance for lot's only contingent upon the following:

1. Lot 5 may have a 20 foot setback in lieu of the required 35 feet provided the lot grading does not extend into the Forest Buffer.
2. No reduction in Forest Buffer or its setback shall occur on any other lots in this development.
3. As previously required, a permanent fence shall be erected along the entire Forest Buffer Easement onsite and "Forest Buffer-Do Not Disturb" signs posted behind each house abutting the Forest Buffer Easement. This fence shall be installed prior to building permit issuance for the affected lots.
4. There shall be no disturbance of the Forest Buffer for any lot grading house or driveway construction, etc. under any circumstances.
5. A copy of this letter shall be provided and the Baltimore County-approved development plan shown to any and all potential homebuyers prior to settlement. Written documentation that this has occurred must be submitted to the Environmental Impact Review (EIR) section of this Department prior to EIR approval of any permit for any lot containing or adjacent to Forest Buffer Easement. If the build-out/ownership of this project is transferred, this requirement to notify future homeowners also transfers.
6. The following note must appear on all plans submitted for this project and all plans provided or shown to potential homebuyers:  
"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. The Forest Buffer Easement and building setback shown hereon are reflective of the fact that this variance was granted. Permanent fencing and posting of the Forest Buffer Easement were required as conditions of this variance to reduce water quality impacts."

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout may require submittal of revised plans and an amended variance request.

Please sign the statement below/on the next page to indicate your agreement to conditions of both the 1995 variance and this variance and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project.

If there are any questions regarding this decision, please contact Ms. Patricia Farr at (410) 887-3980.

Sincerely yours,

George G. Perdikakis  
Director

c. Bruce Seeley, Development Coordination

I/we agree to the above conditions to bring my/our property into compliance with Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Property Owner's Signature Date  
  
Property Owner's Printed Name

Contract Purchaser's Signature Date Contract Purchaser's Printed Name

**GENERAL NOTES**

1. GROSS ACREAGE: 8.0 ±
2. NET ACREAGE: 8.0 ±
3. CURRENT ZONING: DR - 3.5, HONEYGO OVERLAY DISTRICT (BELAIR ROAD SUBAREA - H AND H1)
4. CURRENT USE: SINGLE FAMILY RESIDENTIAL
5. PROPOSED USE: SINGLE FAMILY DETACHED RESIDENTIAL
6. DEED REFERENCES: TAX MAP 72, PARCEL 100 - SM 8335/308
7. TAX ACCOUNT NUMBER: 1119007225
8. CENSUS TRACT: 4113.04
9. WATERSHED: 3
10. SUBSEWERSHED: 22
11. DENSITY CALCULATIONS:

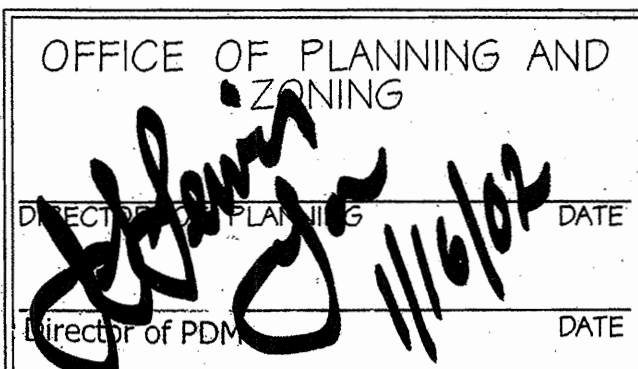
|                | REQUIRED / PERMITTED             | PROPOSED    |
|----------------|----------------------------------|-------------|
| LOT            | @ 3.3 DWELLINGS / ACRE = 28 LOTS | 19          |
| PARKING SPACES | @ 2 / LOT = 68                   | 38          |
| OPEN SPACE     | TO BE WAIVED                     | FEE-IN-LIEU |

THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE OCTOBER 30, 1989. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS. PARKING SHALL ALSO BE SUBJECT TO 259.9.F, BCZR.

10. A WAIVER OF THE OPEN SPACE REQUIREMENT WILL BE REQUESTED FROM THE BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS. THE OPEN SPACE REQUIREMENT FOR THIS PROJECT WILL BE MET BY A FEE-IN-LIEU PAYMENT SUBJECT TO 259.9.E, BCZR.
11. A WAIVER WILL BE REQUESTED FROM THE BALTIMORE COUNTY DEPRM TO PERMIT GRADING IN THE FOREST BUFFER FOR THE PURPOSES OF STORMWATER MANAGEMENT.
12. A VARIANCE WAS GRANTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FROM THE REGULATIONS FOR THE PROTECTION OF WATER QUALITY, STREAMS, WETLANDS AND FLOODPLAINS WHICH BECAME EFFECTIVE JANUARY 1, 1991. THE FOREST BUFFER EASEMENT SHOWN HEREON IS REFLECTIVE OF THE FACT THAT THIS VARIANCE WAS GRANTED. THE VARIANCE STIPULATES THAT ON LOTS 4 (LOT 18 ON CONCEPT PLAN) 11 AND 12, THE FOREST BUFFER SETBACK MAY BE REDUCED FROM A MINIMUM OF 35' TO A MINIMUM OF 15'. CONDITIONS WERE PLACED ON THE VARIANCE TO REDUCE WATER QUALITY IMPACTS.
13. ALL EXISTING BUILDINGS ON THIS SITE ARE TO BE REMOVED PRIOR TO ANY CONSTRUCTION.
14. ALL RESIDENTIAL UNITS PROPOSED ARE TO BE SINGLE FAMILY DETACHED RESIDENCES.
15. THIS SITE IS WITHIN THE BOUNDARIES OF THE HONEYGO PLAN AREA. THE PROPOSED LAND USE, "SINGLE FAMILY DETACHED" RESIDENTIAL, IS CONSISTENT WITH THE PREDOMINANT LAND USE RECOMMENDED BY THE BALTIMORE COUNTY PLAN AND THE HONEYGO PLAN.
16. THIS PROJECT WILL BE SERVED BY PUBLIC WATER AND SEWER.
17. SITE LANDSCAPE PLANTING SHALL COMPLY WITH REQUIREMENTS OF THE BALTIMORE COUNTY LANDSCAPE MANUAL. THE LANDSCAPE PLAN MUST BE APPROVED PRIOR TO BUILDING PERMIT APPLICATION.
18. ESTIMATED NUMBER OF ADDITIONAL AVERAGE DAILY TRIPS (ADT'S) FOR THIS PROJECT: 198.
19. A VARIANCE WAS GRANTED BY THE BALTIMORE COUNTY DEPRM ON FEBRUARY 13, 2001 FOR LOT 5, THE FOREST BUFFER SETBACK MAY BE REDUCED FROM A MINIMUM OF 35' TO A MINIMUM OF 20'.
20. THE SITE IS PARTIALLY FORESTED. A SIMPLIFIED FOREST STAND DELINEATION HAS BEEN PREPARED, SUBMITTED AND APPROVED BY BALTIMORE COUNTY DEPRM. A FOREST CONSERVATION PLAN WAS SUBMITTED IN CONJUNCTION WITH THE DEVELOPMENT PLAN. PROPOSED FOREST CONSERVATION AREAS WILL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
21. TWO PERMANENT IDENTIFICATION SIGNS ARE PROPOSED FOR THIS PROJECT SUBJECT TO COMPLIANCE WITH SECTION 450 AND 259.9.D, BCZR.
22. TOPOGRAPHY SHOWN IN FIELD RUN TOPOGRAPHY BY KCI TECHNOLOGIES, INC. PRIVATE DRIVES ARE TO BE PAVED WITH A DURABLE DUSTLESS SURFACE BITUMINOUS PAVING.
23. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION, OR DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION EASEMENT AND FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
24. ANY FOREST BUFFER OR FOREST CONSERVATION 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.
25. ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE, BUT MUST COMPLY WITH SECTIONS 400 AND 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR). (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS.) ACCESSORY STRUCTURES ARE ALSO LIMITED BY SECTION 259.9.A.3; OPEN PROJECTIONS BY SECTION 259.9.B.4.c, AND FENCES BY 259.9.C.6 OF THE BALTIMORE COUNTY ZONING REGULATIONS.
26. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOODPLAINS AREAS OR HYDRIC SOILS. (NO 100 YEAR FLOODPLAINS EXIST ON THIS SITE.)
27. THERE ARE NO KNOWN ARCHAEOLOGICAL OR HISTORICAL SITES ON THE PROPERTY. THE FISH, HERITAGE, AND WILDLIFE ADMINISTRATION HAS NO RECORD OF RARE, THREATENED OR ENDANGERED SPECIES HABITATS WITHIN THIS PROJECT SITE.
28. ALL LOTS WILL BE SOLD IN FEE SIMPLE.
29. THE FINAL DEVELOPMENT PLAN WAS APPROVED BY THE DIRECTOR OF P.D.M. BASED ON HIS INTERPRETATIONS OF THE ZONING REGULATIONS, THAT IT COMPLIES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER DIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN.
30. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.
31. THE EXACT LOCATION FOR CURB CUTS FOR DRIVEWAY OR PARKING PAD ENTRANCES IS TO BE DETERMINED BY OWNER WHEN EXACT BUILDING MODELS BECOME AVAILABLE BUT PRIOR TO INSTALLATION OF STREET CURBS.
32. PRIOR TO BUILDING PERMIT THE EXISTING HOUSE SHALL BE RAISED AND SEPTIC WILL BE BACKFILLED THERE ARE NO KNOWN EXISTING WELLS OR UNDERGROUND STORAGE TANKS ON THIS SITE.
33. THE SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
34. THERE ARE NO KNOWN HAZARDOUS MATERIALS ON THIS SITE.
35. THERE ARE NO KNOWN COMMENTS OR CONDITIONS TO THE CONCEPT PLAN AT THE TIME OF THE DEVELOPMENT PLAN SUBMITTAL.
36. NO MTA BUS SERVICE IS PRESENTLY AVAILABLE TO THIS SITE.
37. THERE SHALL BE NO DISTURBANCE TO THE 16' WIDE ACCESS EASEMENT AREA OR INTERFERENCE WITH THE RIGHTS OF THE PARTIES TO THE EASEMENT RESULTING FROM DEVELOPMENT OF THIS PROJECT.

THIS FINAL DEVELOPMENT PLAN COMPLIES WITH ALL COUNTY COMMENTS AND IS IN AGREEMENT WITH THE DEVELOPMENT OR CRG PLANS AND ALL OTHER APPROVED PLANS AND/OR ZONING AND DEVELOPMENT HEARING ORDERS.

THIS SITE IS IN THE HONEYGO OVERLAY DISTRICT H AND H-1 AND IS WITHIN THE BELAIR ROAD SUBAREA AND IS SUBJECT TO THE APPLICABLE HONEYGO AREA REGULATIONS AS WELL AS OTHER BALTIMORE COUNTY ZONING REGULATIONS.



THE DEVELOPMENT PLAN FOR THIS SITE  
WAS APPROVED ON MARCH 22, 1996.

I HEREBY CERTIFY THAT I REVIEWED WITH DUE DILIGENCE THE APPROVED DEVELOPMENT PLAN DATED MARCH 22, 1996 AND HAVE PREPARED WITH DUE DILIGENCE THIS FINAL DEVELOPMENT PLAN PURSUANT TO THAT APPROVED DEVELOPMENT PLAN.

1<sup>ST</sup> AMENDED

**FINAL DEVELOPMENT PLAN  
FLORIO PROPERTY**

ELECTION DISTRICT 11

BALTIMORE COUNTY

COUNCILMANIC DISTRICT 5

SHEET  
3  
OF  
3  
DATE  
SEPT. 6, 2001  
SCALE  
AS SHOWN  
JOB  
NUMBER  
01-98029

| Drafting | DATE | REVISIONS |
|----------|------|-----------|
| Check    |      |           |
| Design   |      |           |
| Check    |      |           |

ENGINEERS AND PLANNERS  
10 NORTH PARK DRIVE  
HUNT VALLEY, MARYLAND 21030  
(410) 316-7800

OWNER/DEVELOPER : ERMANNO FLORIO  
13218 DULANEY VALLEY ROAD  
GLEN ARM, MD. 21057-9613  
(410) 477- 2050