IN RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL VARIANCE
NW/S Old Philadelphia Road, 408' W of the c/l Holter Road (Overlook @ Perry Hall)
(11324 Philadelphia Road)
11th Election District
5th Council District

Estate of Anna Schaech, Owners;
Valmor, Inc., Contract Purchaser/Developer

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Cases Nos. XI-884 & 02-518-SPVA-H

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER ON REMAND

This matter comes before this Hearing Officer/Zoning Commissioner for further proceedings regarding the revised development plan and related zoning relief for the proposed residential subdivision to be known as Overlook @ Perry Hall. Pursuant to the development regulations codified in Title 26 of the Baltimore County Code (B.C.C.), the Owners/Developers request approval of a revised development plan prepared by Site Rite Surveying, Inc. for development of the subject property with 42 single-family dwelling lots. In addition, modified variance relief is requested from Sections 259.8 and 4A02.4F of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the issuance of building permits for the proposed development (prior to the completion of certain road improvements to Cross Road and Forge Roads); from Section 259.9.C.8 to permit storm water management pond slopes of 2:1 in lieu of the maximum allowed 3:1 slope; and, from Section 259.9.B.3 to confirm that Lots 37 and 42 comply with the provisions of Section 259.7S (Threshold Limits - Honeygo Area), due to the existence of a ridge line and not involving issues of capacity. The revised proposal and requested relief are more particularly shown on the revised development plan/site plan, marked as Developer's Exhibit 3.

This proposal has been reviewed in accordance with the development review process codified in Title 26 of the Baltimore County Code. Initially, the Developer filed a concept plan for the proposed development and a Concept Plan Conference (CPC) was held thereon between the Developer and County agency representatives on November 13, 2001. Thereafter, a Community Input Meeting (CIM) was held on December 13, 2001 at the Chapel Hill Elementary School. The Developer then submitted a revised plan for review and consideration by County agency representatives at a Development Plan Conference (DPC) on June 12, 2002. The matter then came

for a hearing before the undersigned on July 11, 2002. Following that hearing, a Hearing Officer's Opinion and Development Plan Order was issued on July 23, 2002. That Order denied approval of the development plan and related zoning requests for lot widths and depths of less than required and dismissed as moot the remaining variance requests. However, an opportunity was provided for the Developer to revise its plan and the case was remanded to renew the development review process commencing with a Community Input Meeting.

Subsequent to the issuance of that Order, the Developer filed a Motion for Reconsideration, seeking to strike that portion of the Order requiring an additional CIM; however, agreed to submit a revised plan at a Development Plan Conference (DPC). The Motion for Reconsideration was granted by Order dated August 20, 2002. Thereafter, in accordance with the schedule set forth therein, a DPC on the revised plan was held on October 2, 2002, and the Hearing Officer's Hearing was reconvened on October 25, 2002. Moreover, as required, notice of the reconvened Hearing Officer's Hearing along with a copy of the revised plan, was forwarded to all attendees of the original hearing by Counsel for the Developers.

As noted in the original Order, the subject property consists of a gross area of 17.65 acres, more or less, split zoned D.R.3.5H and D.R.2H, and is located in the Honeygo District of Perry Hall. The property is a rectangular shaped parcel, approximately 537 feet wide by 1500 feet deep, located with frontage on the west side of Old Philadelphia Road (Maryland Route 7), just south of Holter Road, and abuts the JFK Memorial Highway (I-95) to the rear. The property is presently improved with one single-family dwelling, which will be razed, and features a strand of mature trees and some environmental constraints, including wetlands.

Under the original plan, the Developer proposed the construction of 47 single-family dwellings. In order to accommodate this number of lots, the Developer sought variance relief to reduce lot widths and depths less than the standard required under the Honeygo District zoning regulations. As noted in the original Order, the undersigned determined that the original proposal represented an over-development of the site. The blanket variances requested for insufficiently sized lots were simply too inconsistent with the Honeygo standards and could not be approved. In view of that decision, the Developer has revised its plan and now proposes 42 single-family lots. More

significant is the fact that all of the lots meet the minimum lot width and depth require-ments under the Honeygo regulations. Thus, no special variance relief is requested.

As noted above, this revised plan was submitted for County review at the second DPC on October 2, 2002, and at the Hearing Officer's Hearing on October 25, 2002. Appearing at the hearing on that date were Akia Fox, Esquire, on behalf of The Estate of Anna Schaech, property owners, and Uri Ben-Or, Principal of Valmor, Inc., Developer. Also appearing were Vincent Moskunas, a representative of Site Rite Surveying, Inc., the consultants who prepared the development plan/site plan; John Caoles of Eco Science Prof., Inc.; and Howard L. Alderman, Jr., Attorney for the Developer. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including the following individuals from the Department of Permits and Development Management (DPDM): Walt Smith, Project Manager; Bob Bowling, Development Plans Review; Ron Goodwin, Land Acquisition; and, Jeffrey Perlow, Zoning Review. Also appearing on behalf of the County were Mark Cunningham, Office of Planning (OP); R. Bruce Seeley, Department of Environmental Protection and Resource Management (DEPRM); and Jan Cook, Department of Recreation and Parks (R&P). Appearing as interested persons were Ronald O. Schaftel and David E. Altfeld on behalf of Southern Land, Inc., adjacent property owners, and their attorney, Robert Porter, Esquire. Although advised of the reconvened Hearing Officer's Hearing, only Debra Beaty, a nearby resident appeared from the community. In addition, Larry Gredlein and Kevin Sullivan appeared on behalf of the Maryland State Highway Administration (SHA).

At the hearing, Developer's Counsel proffered that the plan had been revised to meet all County standards and regulations. The County agency representatives present largely corroborated this testimony. Specifically, Mr. Bowling indicated that there were no open issues of concern to the Department of Pubic Works, and Mr. Goodwin indicated that the Bureau of Land Acquisition had no unresolved issues. Similarly, Mr. Cook indicated that there were no open issues of concern to the Department of Recreation and Parks. Mr. Perlow of the Zoning Review Division of DPDM indicated that certain comments relative to the final development plan need to be adjusted and/or deleted; however, these were identified as housekeeping items. Mr. Seeley on behalf of DEPRM indicated that an existing well on the property need be back-filled prior to record plat. In this regard,

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Date 11/22/02
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the timing on the filling of that well was discussed. As noted above, there is an existing dwelling on the property that is presently occupied. It is anticipated that this dwelling will continue to be occupied until that portion of the site is developed. In my judgment and in accordance with environmental regulations, the well should be filled prior to the filing of the record plat; thus, I will require same as a condition to the approval of the plan. Mr. Seeley also made reference to Notes Nos. 17 and 28 on the plan. In this regard, he confirmed the validity of those notes and indicated that DEPRM will require that any underground tanks on the property need be removed.

Mr. Cunningham from the Office of Planning indicated that the plan now meets his agency's requirements. The Developer again affirmed that all of the lots shown meet the minimum lot width requirement (85 feet) and the minimum rear setback requirement (50 feet). It was also noted that the proposed garages also meet the setback requirements.

On behalf of Southern Land, Mr. Porter produced a letter dated October 9, 2002, which was marked as Community Exhibit 1, identifying certain issues of concern. In this regard, an issue between Southern Land and the Developer concerning the extension of Holter Road to provide access to the Southern Land tract has been resolved. As now shown on the plan, that road will be extended to the tract boundary so as to provide access to the adjacent parcel. An issue does remain open regarding certain utility easements. As more particularly shown on the plan, there is a sewer line proposed between Lots 11 and 12. It is anticipated that when Southern Land develops its adjacent property, a utility hook-up will be made at this location. However, Mr. Porter indicated that Southern Land sought to have an alternative hook-up connection between Lots 9 and 10, in the event the hook-up between Lots 11 and 12 is insufficient for this project. In my view, requiring the Developer to provide an easement for such an ultimate connection is appropriate. However, I do not believe that this Developer should be required to actually install that connection, given that the utility will not serve its property, but is only for the convenience and necessity of an adjacent property owner. Thus, I will require that the Developer provide an easement for the potential alternative utility hook-up between Lots 9 and 10; however, will not be required to construct the sewer connection and any such connection will be at the expense of the adjacent property owner. Again,

this is an appropriate resolution given that the proposed connection will benefit the adjacent property owner and is not necessary for the development of the subject site.

But for this open issue, it appears that all other matters of concern between the adjacent property owner and this Developer have been resolved. In considering the revised development plan, I am persuaded that same is appropriate and in compliance with all relevant development regulations. In my judgment, the revised proposal is a superior alternative to the original plan for which approval was denied. The project as presently configured does not represent an over-development of the site and is consistent with the intent of the Honeygo regulations. Thus, but for the minor conditions enumerated above, the development plan shall be approved.

As noted above, certain of the original variance requests were denied and/or dismissed as moot. Specifically, Variance requests identified on the Petition for Variance as Nos. 2 and 3 relative to rear yard and garage setback requirements, and No. 5 relative to lot width requirements are not required under the revised plan. The other variances should be approved for reasons set forth in the original Hearing Officer's Opinion and Order. Specifically, variance relief should be granted from Section 259.8 and 4A02.4F to permit the issuance of residential building permits for the construction of single family homes as shown on the revised plan. Also, Variance Request No. 4 will be granted to permit storm water management pond slopes of 2:1 in lieu of the required 3:1. Additionally, I find that Lots 37 and 42 (previously identified as Lots 21 and 22 under the old plan) comply with the provisions of Section 259.7S, due to the existing ridgeline, and do not involve issues of capacity. In this regard, the findings and conclusions set out in the prior opinion and order are incorporated herein and need not be repeated.

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

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this 22nd day of November, 2002 that the revised development plan for the

Overlook @ Perry Hall, identified herein as Developer's Exhibit 3, be and is hereby APPROVED, subject to the following terms and conditions:

1) The existing well will be back-filled prior to record plat.

2) The Developer shall provide an easement between Lots 9 and 10 as an alternative for the potential utility extension to the adjacent property owned by Southern Land; however, the Developer is not required to actually install utilities within that easement.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 259.8 and 4A02.4F of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the issuance of building permits for the proposed development (prior to the completion of certain road improvements to Cross Road and Forge Roads); from Section 259.9.C.8 to permit storm water management pond slopes of 2:1 in lieu of the maximum allowed 3:1 slope; and, from Section 259.9.B.3 to approve that Lots 37 and 42 comply with the provisions of Section 259.7S (Threshold Limits - Honeygo Area), due to the existence of a ridge line and not involving issues of capacity, in accordance with Developer's Exhibit 3, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Variance and Variance seeking relief from Section 259.9.C.3 to allow front entry garages to be located 0 feet from the front line building face projection of the house in lieu of the required 8-foot recess for Lots 44, 45 and 46; from Section 259.9.B.4.e to permit a rear yard setback of 34 feet for Lots 1 through 10, 12 through 26, 29 through 38, and 40 through 47, and 43 feet for Lot 11, all in lieu of the required 50 feet; and, from Section 259.9.B.3 to permit the lot widths shown in Table A (Attachment 1 of the Petition), measured along both the front and rear walls of the dwelling units, in lieu of the required 85 feet for each, relief, be and are hereby DISMISSED AS MOOT.

IT IS FURTHER ORDERED that, except as specifically modified herein, the rationale, terms, and conditions as set out in the prior Order are incorporated herein and made a part hereof.

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

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

LES:bjs

IN RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL VARIANCE	*	BEFORE THE
	*	ZONING COMMISSIONER
NW/S Old Philadelphia Road, 408' W of the c/l Holter Road (Overlook @ Perry Hall) (11324 Philadelphia Road) 11th Election District 5th Council District	*	OF BALTIMORE COUNTY
	*	Case Nos. XI-884 & 02-518-SPVA-H
	*	
Estate of Annie Schaech, Owner; Valmor, Inc., Contract Purchaser/Developer	*	

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

ORDER

After consideration of the Stipulation of Dismissal filed by Appellant and Developer, it is this 13th day of March, 2003

ORDERED that the captioned Appeal be and it is hereby DISMISSED WITH PREJUDICE.

Lawrence S. Wescott

Margaret Worrall

C. Lynn Barranger

Attachment: Stipulation of Dismissal

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County Board of Appeals of Baltimore County

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

March 13, 2003

Gerald M. Katz, Esquire
Robert D. Porter, Esquire
HODES, ULMAN, PESSIN & KATZ, PA
901 Dulaney Valley Road, Suite 400
Towson, MD 21204

Howard L. Alderman, Jr., Esquire
LEVIN & GANN, PA
Nottingham Centre
502 Washington Avenue, 8th Floor
Towson, MD 21204

RE: *In the Matter of: Overlook at Perry Hall* /PDM XI-884
Case No. CBA-02-161 and 02-518-SPVA-H
Order of Dismissal

Dear Counsel:

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 /ths

Kathleen C. Bianco
Administrator

Enclosure

c: Ronald O. Schaftel /Southern Land Co., Inc.
Uri Ben-Or /Valmor, Inc.
Vince Moskunas /Site Rite Surveying, Inc.
Akia Fox, Esquire
Laura Schaech /Joseph Schaech – Estate of Anna Schaech

M/M James Wloczewski	M/M E LaBrun	M/M Roy Diefenbach
Betty Ann Kearney	Phillip A. Esposito	
Dennis Eckard	M/M Greg Sachs	
David Marks	M/M Todd Milliron	
Debra Beaty	M/M Herb Thompson	

Office of People's Counsel
Pat Keller, Director /Planning
Lawrence E. Schmidt /ZC
Donald Rascoe, Development Mgr /PDM
Arnold Jablon, Director /PDM

IN RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL VARIANCE	*	BEFORE THE
	*	ZONING COMMISSIONER
NW/S Old Philadelphia Road, 408' W of the c/l Holter Road (Overlook @ Perry Hall) (11324 Philadelphia Road) 11th Election District 5th Council District	*	OF BALTIMORE COUNTY
	*	Case Nos. XI-884 & 02-518-SPVA-H
	*	
Estate of Annie Schaech, Owner; Valmor, Inc., Contract Purchaser/Developer	*	

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

STIPULATION OF DISMISSAL

The Southern Land Company, Inc., Appellant, by its attorneys, Gerald M. Katz, Robert D. Porter and Hodes, Ulman, Pessin & Katz, P.A., and Valmor, Inc. Developer, by its attorneys, Howard L. Alderman, Jr. and Levin & Gann, P.A., agree and stipulate that the captioned Appeal, which is scheduled for hearing before this Honorable Board on Tuesday, March 11, 2003 at 10:00 a.m., be DISMISSED WITH PREJUDICE.

Respectfully submitted,

Gerald M. Katz
Robert D. Porter
Hodes, Ulman, Pessin & Katz, P.A.
901 Dulaney Valley Road, Suite 400
Towson, Maryland 21204
410-339-5791
Attorneys for Apellant

Howard L. Alderman, Jr.
Levin & Gann, P.A.
Nottingham Centre
502 Washington Avenue, 8th Floor
Towson, Maryland 21204
410-321-0600
Attorneys for Developer

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IN RE: DEVELOPMENT PLAN HEARING
and PETITIONS FOR SPECIAL VARIANCE

NW/S Old Philadelphia Road, 408' W of
the c/l Holter Road (Overlook @ Perry Hall)
(11324 Philadelphia Road)
11th Election District
5th Council District

Estate of Annie Schaech, Owner;
Valmor, Inc., Contract Purchaser/Developer

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case Nos. XI-884 & 02-518-SPVA-H
*
*

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

ORDER

After consideration of the Stipulation of Dismissal filed by Appellant and Developer, it is this ____ day of March, 2003

ORDERED that the captioned Appeal be and it is hereby DISMISSED WITH PREJUDICE.

_____

_____

_____

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HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

ELLIS LEVIN (1893-1960)

February 19, 2003

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

RE: Valmor, Inc.
Case Nos. CBA-02-518-SPVA-H/PDM #XI-884
Stipulation of Dismissal

Dear Ms. Bianco:

Please accept the enclosed original of a Stipulation of Dismissal and proposed Order in the above-referenced case. This Motion has been signed by counsel for all parties and has been sent via telefax to the Board.. Should you need or any member of the Board need additional information from me to dispose of this matter promptly, as always, please do not hesitate to call me. Thank you for your attention to this matter.

Very truly yours,

Howard L. Alderman, Jr.

HLA/gk
Enclosure
c (w/encl.): Robert D. Porter, Esquire

IN RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL VARIANCE	*	BEFORE THE
	*	ZONING COMMISSIONER
NW/S Old Philadelphia Road, 408' W of the c/l Holter Road (Overlook @ Perry Hall) (11324 Philadelphia Road) 11th Election District 5th Council District	*	OF BALTIMORE COUNTY
	*	Case Nos. XI-884 & 02-518-SPVA-H
	*	
Estate of Annie Schaech, Owner; Valmor, Inc., Contract Purchaser/Developer	*	

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

JOINT MOTION FOR POSTPONEMENT

The Southern Land Company, Inc., Appellant, by its attorneys, Gerald M. Katz, Robert D. Porter and Hodes, Ulman, Pessin & Katz, P.A., and Valmor, Inc. Developer, by its attorneys, Howard L. Alderman, Jr. and Levin & Gann, P.A., respectfully move that this Honorable Board postpone the hearing in this case for a period not to exceed thirty (30) days and in support thereof state as follows:

1. The hearing before this Board is scheduled for Thursday, February 20, 2003 at 10:00 a.m.

2. Appellant and Developer are continuing settlement discussions which, if successful, would result in a dismissal of this appeal without the need for a hearing.

3. Developer's agent and representatives of appellant are out of the State due to the recent snow storm and are unable to review and give final approval to a proposed settlement agreement prepared by counsel. There remains insufficient time prior to the scheduled hearing to conclude settlement negotiations and obtain all necessary signatures.

4. Appellant and Developer desire to settle this matter without the necessity of a hearing before this Honorable Board.

WHEREFORE, the Appellant and Developer respectfully request that this Honorable Board grant a postponement of the hearing in this case for a period not to exceed thirty (30) days after February 20, 2003.

Respectfully submitted,

Robert D. Porter
Hodes, Ulman, Pessin & Katz, P.A.
901 Dulaney Valley Road
Suite 400
Towson, Maryland 21204
410-321-0600
Attorneys for Apellant

Howard L. Alderman, Jr.
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Nottingham Centre
502 Washington Avenue, 8th Floor
Towson, Maryland 21204
410-339-6748
Attorneys for Developer

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IN RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL VARIANCE	*	BEFORE THE
	*	ZONING COMMISSIONER
NW/S Old Philadelphia Road, 408' W of the c/l Holter Road (Overlook @ Perry Hall) (11324 Philadelphia Road) 11th Election District 5th Council District	*	OF BALTIMORE COUNTY
	*	Case Nos. XI-884 & 02-518-SPVA-H
	*	
Estate of Annie Schaech, Owner; Valmor, Inc., Contract Purchaser/Developer	*	

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

ORDER

After consideration of the Joint Motion for Postponement, the County Board of Appeals of Baltimore County, it is this ____ day of February, 2003

ORDERED that the Joint Motion for Postponement be and it is hereby GRANTED, and the Board hereby directs that the hearing be rescheduled for a date not to exceed thirty (30) days after February 20, 2003.

COUNTY BOARD OF APPEALS

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12/27/02

IN RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL VARIANCE	*	BEFORE THE
	*	ZONING COMMISSIONER
NW/S Old Philadelphia Road, 408' W of the c/l Holter Road (Overlook @ Perry Hall) (11324 Philadelphia Road) 11th Election District 5th Council District	*	OF BALTIMORE COUNTY
	*	Case Nos. XI-884 & 02-518-SPVA-H
	*	
Estate of Annie Schaech, Owner; Valmor, Inc., Contract Purchaser/Developer	*	

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

APPELLANT'S PETITION ON APPEAL

The Southern Land Company, Inc., Appellant in the above-captioned matter, by its attorneys, Gerald M. Katz, Robert D. Porter and Hodes, Ulman, Pessin & Katz, P.A., feeling aggrieved by the decision of the Hearing Officer that was rendered on November 22, 2002, hereby submits this Petition on Appeal in support of its appeal and states as follows:

1. The Southern Land Company, Inc. ("Southern Land") is the Appellant in this case. The principals of Southern Land are the principals of Honeygo Springs, LLC ("Honeygo Springs"). Honeygo Springs is the contract purchaser and developer of the "Kangro Property". The Kangro Property is adjacent to the property that is the subject of the development plan that has been appealed. Valmor, Inc. ("Valmor") is developer of the property that is the subject of this appeal (the "Schaech Property").

2. To provide for the safe and orderly development of the Kangro Property, which has limited access to Philadelphia Road, Valmor should engineer, design and construct the extension of Holter Road at its sole cost and expense in such a manner as will ensure access to the Kangro Property. Moreover, Valmor should construct, dedicate and convey to Baltimore

County, Maryland the extension of Holter Road and any ancillary roads within the Schaech Property at the same time.

3. Valmor should extend utilities within the extension of Holter Road to the Kangro Property in such a manner as will permit the construction of such utilities within the Kangro Property in an orderly manner. Again, the utilities should be constructed and, as applicable, dedicated to Baltimore County, Maryland at the same time as Valmor constructs and dedicates the utilities and the roads within the Schaech Property.

4. Valmor should grant Honeygo Springs an easement through the roads and utility easement areas of the Schaech Property to allow Honeygo Springs to construct the roads and utilities within the Kangro Property.

5. The Hearing Officer erred by approving the subject Development Plan, which does not satisfy the requirements of the Baltimore County Code and the Development Regulations.

6. The Zoning Commissioner erred by approving the Petition for Variance relief since the legal requirements for granting such relief have not been satisfied.

7. For such other and further reasons as may be presented at oral argument before the Board, the decision of the Hearing Officer/Zoning Commissioner should be reversed.

{This space is intentionally left blank; signatures follow.}

WHEREFORE, the Appellant respectfully requests that this Honorable Board reverse the decision of the Hearing Officer/Zoning Commissioner in this case.

Respectfully submitted,

Gerald M. Katz

Robert D. Porter
Hodes, Ulman, Pessin & Katz, P.A.
901 Dulaney Valley Road, Suite 400
Towson, Maryland 21204
410-339-6748
Attorneys for Appellant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of December, 2002, a copy of the foregoing Appellant's Petition on Appeal was mailed, postage prepaid to the following:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
Nottingham Centre
502 Washington Avenue, 8th Floor
Towson, Maryland 21204
Attorney for Valmor, Inc., Developer

Edward L. Wender, Esquire
Venable LLP
1800 Mercantile Bank & Trust Bldg.
2 Hopkins Plaza
Baltimore, Maryland 21201
Attorney for The Estate of Annie L. Schaech.

I HEREBY FURTHER CERTIFY that on this 27th day of December, 2002, a copy of the foregoing Appellant's Petition on Appeal was hand-delivered to Lawrence E. Schmidt, Hearing Officer and Zoning Commissioner, County Courts Building, 401 Bosley Avenue, 4th Floor, Towson, Maryland 21204.

Robert D. Porter

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IN RE: **DEVELOPMENT PLAN & PETITION FOR VARIANCE and SPECIAL VARIANCE** **NW/S Old Philadelphia Road, W of c/l of Holter Road** ***Overlook at Perry Hall*** **11th Election District** **5th Councilmanic District** **Valmor, Inc., Contract Purchaser**	**BEFORE THE** **HEARING OFFICER/** **ZONING COMMISSIONER** **FOR** **BALTIMORE COUNTY** **Case Nos. XI-884 and 02-518-SPVA-H**

ORDER OF REMAND

Upon consideration of the Motion for Reconsideration Remand filed by Valmor, Inc. and upon reconsideration of the July 23, 2002 Order issued in this case and in light of the intent of Valmor, Inc. to submit a revised development plan eliminating previously proposed rear yard and lot width variances, it is this 26th day of August, 2002, by the Hearing Officer/Zoning Commissioner for Baltimore County,

ORDERED that the above-referenced matter is hereby remanded for further consideration at a Development Plan Conference after submission by Valmor, Inc. of the required number of copies of a revised development plan for the subject property; and it is

FURTHER ORDERED, that no additional Community Input Meeting need be held on the revised development plan but that Valmor, Inc. shall mail to all attendees of the original Hearing Officer's Hearing a copy of the revised development plan and notice of the date and time of the Development Plan Conference and subsequent Hearing Officer's Hearing.

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

AUG – 2 2002

IN RE:	**DEVELOPMENT PLAN & PETITION FOR VARIANCE and SPECIAL VARIANCE** **NW/S Old Philadelphia Road, W of c/l of Holter Road** ***Overlook at Perry Hall*** **11th Election District** **5th Councilmanic District** **Valmor, Inc., Contract Purchaser**	**BEFORE THE** **HEARING OFFICER/** **ZONING COMMISSIONER** **FOR** **BALTIMORE COUNTY** **Case Nos. XI-884 and 02-518-SPVA-H**

MOTION FOR RECONSIDERATION AND REMAND

Valmor, Inc., Contract Purchaser of the above-referenced property and one of the Petitioners (referred to as "Valmor"), by and through its attorneys, Howard L. Alderman, Jr., and Levin and Gann, P.A., hereby moves pursuant to Rule 2.K as promulgated by the Zoning Commissioner for Baltimore County and *Baltimore County Code* § 26-206(e), that the Hearing Officer/Zoning Commissioner for Baltimore County (the "Hearing Officer") reconsider the final decision in this matter, captioned as the *Hearing Officer's Opinion and Development Plan Order* dated July 23, 2002 (the "Order") and remand Case No. XI-884 for a Development Plan Conference for consideration of a development plan that has been revised, consistent with the direction contained in the Order. In support of its motion, Valmor offers the following:

1. The Hearing Officer indicated that it "appears that a development plan for this site could be approved consistent with the comments" contained in pages 1-5 of the Order. [Order at 6:]

2. The Hearing Officer denied the Variance Relief relating to reduced rear yard setbacks on all proposed lots and minimum lot width on a significant number of the proposed lots, with the remaining variance relief dismissed as moot.

ORDER RECEIVED FOR FILING
Date 8/2/02
By

3. The Hearing Officer determined that some form of "residential development of this property is appropriate." [Order at 10.]

4. The Hearing Officer held that Valmor was able to submit a revised development plan to the County for consideration without "starting the review process anew." [Order at 10.]

5. If Valmor elected to submit a revised development plan, the Hearing Officer initially determined that an additional CIM be conducted.

6. Valmor hereby notifies the Hearing Officer that it intends to submit a revised development plan for the subject property, showing the extension of Holter Road to the western boundary and eliminating all variance relief for rear yard depth and lot width on all of the reduced number of lots shown thereon.

7. As the Hearing Officer correctly noted, the variance relief requested originally for 34 foot rear yards on all lots and reduced lot widths "were the main source of contention" at the hearing. [Order at 8.]

8. Given that Valmor intends to submit a revised development plan that eliminates all rear yard and all lot width variances resulting from the reduction of the number of lots proposed, an additional Community Input Meeting is not warranted. A copy of the revised development plan and notice of the date and time of the Development Plan Conference and the Hearing Officer's Hearing on the revised development plan will be mailed by Valmor to all who attended the Hearing Officer's Hearing.

9. It is appropriate for the Hearing Officer to remand this matter only to a Development Plan Conference for County comment on the revised development plan to be submitted by Valmor.

10. The only party that may be prejudiced by this Motion is Valmor which will be

required to mail notice and revised development plans to all who attended the Hearing Officer's Hearing.

WHEREFORE, for all of the above-stated reasons, Valmor hereby requests that the Hearing Officer for Baltimore County reconsider his July 23, 2002 Order and:

A. REMAND this matter for a new Development Plan Conference on the revised development plan to be submitted by Valmor for the subject property; and

B. STRIKE that portion of the July 23, 2002 Order requiring an additional Community Input Meeting; and

C. For such further relief as the nature of this case may require.

RESPECTFULLY SUBMITTED

HOWARD L. ALDERMAN, JR.
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204
410-321-0600
410-296-2801 (Fax)
Attorneys for Valmor, Inc.

DATED: August 1, 2002

Baltimore County
Zoning Commissioner

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

November 22, 2002

Howard L. Alderman, Jr., Esquire
Levin & Gann
502 Washington Avenue, 8th floor
Towson, Maryland 21204

RE: ORDER ON REMAND
DEVELOPMENT PLAN HEARING/PETITIONS FOR SPECIAL VARIANCE/VARIANCE
Overlook @ Perry Hall
Cases No. XI-884 & 02-518-SPVA-H

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The revised development plan and amended variance requests have 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: Ms. Laura Schaech, 11324 Philadelphia Road, White Marsh, Md. 21162
Akia Fox, Esquire, Venable, Baetjer & Howard, 2 Hopkins Plaza, #1800, Balto., Md. 21201
Mr. Uri Ben-Or, Valmor, Inc., P.O. Box 68, Reisterstown, Md. 21136
Mr. Vince Moskunas, Site Rite Surveying, Inc., 200 E. Joppa Road, #101, Towson, Md. 21286
Robert Porter, Esquire, 901 Dulaney Valley Road, #400, Towson, Md. 21204
Mr. Ronald O. Schaftel, Southern Land Co., 111 S. Calvert Street, #2820, Balto., Md. 21202
Ms. Debra Beaty, 11403 Smiloff Road, White Marsh, Md. 21162
Mr. & Mrs. James Wloczewski, 11239 Philadelphia Road, White Marsh, Md. 21162
Ms. Betty Ann Kearney, 11235 Philadelphia Road, White Marsh, Md. 21162
Mr. & Mrs. E. LaBrun, 11130 Philadelphia Road, White Marsh, Md. 21162
Mr. Dennis Eckard, 39 Bangert Avenue, Perry Hall, Md. 21128
Mr. David Marks, 21 Donn Court, Perry Hall, Md. 21128
Mr. Philip A. Esposito, 5508 Rogue Court, White Marsh, Md. 21162
Mr. & Mrs. Greg Sachs, 11331 Holter Road, Perry Hall, Md. 21128
Mr. & Mrs. Todd Milliron, 11333 Holter Road, Perry Hall, Md. 21128
Mr. & Mrs. Herb Thompson, 5522 Edwin Court, White Marsh, Md. 21162
Mr. & Mrs. Roy Diefenbach, 5524 Edwin Court, White Marsh, Md. 21162
Don Rascoe, DPDM; DEPRM; DPW; OP; R&P; People's Counsel; Case File

IN RE: DEVELOPMENT PLAN HEARING and * BEFORE THE
PETITIONS FOR SPECIAL VARIANCE
NW/S Old Philadelphia Road, 408' W of * ZONING COMMISSIONER
the c/l Holter Road (Overlook @ Perry Hall)
(11324 Philadelphia Road) * OF BALTIMORE COUNTY
11th Election District
5th Council District * Cases Nos. XI-884 & 02-518-SPVA-H

Estate of Anna Schaech, Owners; *
Valmor, Inc., Contract Purchaser/Developer

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Zoning Commissioner for a single public hearing, pursuant to Section 26-206.1 of the Baltimore County Code (B.C.C.), which allows an Owner/Applicant to request zoning relief within the same public hearing wherein development plan approval is also requested. Pursuant to the development review regulations codified in Title 26 thereof, The Estate of Anna Schaech, property owners, and the Developers, Valmor, Inc., request approval of a red-lined development plan prepared by Site Rite Surveying, Inc. for the proposed development of the subject property with 47 single family dwellings. In addition, special variance and variance relief is requested from Sections 259.8 and 4A02.4F of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the issuance of building permits for the proposed development (prior to the completion of certain road improvements to Cross Road and Forge Roads). In addition, a series of area variances are requested from the B.C.Z.R. as follows: From Section 259.9.C.3 to allow front entry garages to be located 0 feet from the front line building face projection of the house in lieu of the required 8-foot recess for Lots 44, 45 and 46; from Section 259.9.B.4.e to permit a rear yard setback of 34 feet for Lots 1 through 10, 12 through 26, 29 through 38, and 40 through 47, and 43 feet for Lot 11, all in lieu of the required 50 feet; from Section 259.9.C.8 to permit storm water management pond slopes of 2:1 in lieu of the maximum allowed 3:1 slope; and, from Section 259.9.B.3 to permit the lot widths shown in Table A (Attachment 1 of the Petition), measured along both the front and rear walls of the dwelling units, in lieu of the required 85 feet for each, together with a determination that Lots 21 and 22 comply with the provisions of Section 259.7S (Threshold Limits - Honeygo Area), due to the existence of a

ridge line and not involving issues of capacity, all as more particularly shown on the development plan/site plan. The proposed subdivision and requested zoning relief are more particularly described on the two-page, red-lined development plan submitted into evidence as Developer's Exhibit 1A.

This proposal has been reviewed in accordance with the development review process codified in Title 26 of the Baltimore County Code. That process is initiated by the filing of a concept plan depicting a schematic design of the proposed development. In this case, a concept plan was prepared and a conference held thereon between the Developers' consultants and County agency representatives on November 13, 2001. The second step of the process mandates community participation by way of a Community Input Meeting (CIM), which is held during the evening hours at a location in proximity of the proposed development so that residents of the locale have an opportunity to review the plan. In this case, the CIM was held on December 13, 2001 at the Chapel Hill Elementary School. Thereafter, the Developer submits a revised plan for review and consideration by County agency representatives at a Development Plan Conference (DPC), which in this case, was held on June 12, 2002. The final step of the first phase of the review process is the Hearing Officer's Hearing before the Zoning Commissioner/Deputy Zoning Commissioner at which time a more refined plan is presented and testimony and evidence are received thereon. As noted above, the development plan and zoning relief sought in the instant cases were combined under a single public hearing (Hearing Officer's Hearing), which was held on July 11, 2002.

Appearing at the public hearing on behalf of the proposal was Laura Schaech, a representative of The Estate of Anna Schaech, property owners, and her attorney Akia Fox, Esquire. Also appearing were Uri Ben-Or, Principal of Valmor, Inc., Developer; Vincent Moskunas, a representative of Site Rite Surveying, Inc., the consultants who prepared the development plan/site plan, and Howard L. Alderman, Jr., Attorney for the Developer. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including the following individuals from the Department of Permits and Development Management (DPDM): Walt Smith, Project Manager; Bob Bowling, Development Plans Review;

Ron Goodwin, Land Acquisition; and, Jeffrey Perlow, Zoning Review. Also appearing on behalf of the County were Mark Cunningham, Office of Planning (OP); R. Bruce Seeley and Bryce Savage, Department of Environmental Protection and Resource Management (DEPRM); and Jan Cook, Department of Recreation and Parks (R&P). In addition, Larry Gredlein and Kevin Sullivan appeared on behalf of the Maryland State Highway Administration (SHA).

The proposal generated significant public interest and numerous residents from the surrounding locale appeared, including Jim and Mary Lou Wloczewski, and Betty Ann Kearney, who reside immediately across Philadelphia Road from the subject site. Also appearing were Ronald O. Schaftel, a principal of Southern Land Company, Contract Purchasers of an adjacent parcel, and Dennis Eckard, Vice President of the Perry Hall Improvement Association. The Citizen Sign-In sheets circulated at the hearing will reflect the attendance of those individuals of the community who appeared at the hearing, most of whom were opposed to the request.

The subject property consists of a gross area of 17.65 acres, more or less, split zoned D.R.3.5H and D.R.2H, and is located in the Honeygo District of Perry Hall. The property is a rectangular shaped parcel, approximately 537 feet wide by 1500 feet deep, located with frontage on the west side of Old Philadelphia Road (Maryland Route 7), just south of Holter Road, and abuts the JFK Memorial Highway (I-95) to the rear. The property is presently improved with one single-family dwelling, which will be razed, and features a strand of mature trees and some environmental constraints, including wetlands.

The north side boundary of the subject property abuts a residential community known as Saddlebrook that was built approximately 5 years ago as the result of the development of the Holter property. That community contains 40 single-family dwellings. To the south side of the subject site is an unimproved property known as the Kangro parcel, which is presently under contract of sale to Southern Land Company and may ultimately be developed.

As noted above, the Developer proposes the construction of 47 single-family dwellings. Vehicular access to the interior of the site will be accomplished by two road connections. First, a road will be constructed leading from Philadelphia Road into the interior of the site to provide

primary access. Holter Road, which presently serves the adjacent Saddlebrook community, will be extended from its present terminus into the subject property to provide a second means of access. Indeed, the extension of Holter Road into the property was the subject of much discussion at the Hearing Officer's Hearing.

Many of the proposed 47 single-family lots will be undersized contrary to the requirements for lots in the Honeygo District. As noted above, the subject property is split zoned D.R.3.5H and D.R.2H and is located within the Honeygo District wherein more stringent development requirements are mandated under the B.C.Z.R. The Owner/Developer seeks variance relief from some of these requirements under the Petition for Special Variance. In addition to the building lots, the plan shows an area of passive and local open space centrally located within the interior of the lot. Additionally, the Owner/Developer proposes a storm water management reservation area to the rear of the site that will divert, maintain and appropriately release storm water into an existing outfall adjacent to I-95. The plan also shows an area of forest buffer and forest conservation.

Turning first to the development plan proposal and the standards governing same, Section 26-206 of the Baltimore County Code, which regulates the conduct at the Hearing Officer's Hearing, requires that I first identify any unresolved agency comments or issues. The primary issue identified relates to the extension of Holter Road into the property. As noted above, the plan shows that Holter Road will be extended from its present terminus at the northern property line into the subject site. The plan shows that Holter Road will terminate at a "T" intersection within the property. Baltimore County's Department of Public Works (DPW) and Office of Planning (OP) have requested a further extension of Holter Road. Specifically, they desire that Holter Road extend across the entire width of the property, and that the Developer connect same to the property's southern boundary at the Kangro property line. The State Highway Administration (SHA) and Mr. Schaftel, Contract Purchaser of that parcel, also endorse this request. The reason for the request is obvious. In the event the adjacent property is developed, an additional road connection other than through Philadelphia Road will be available. In effect,

Holter Road will serve as a parallel road to Philadelphia Road for these residential subdivisions as they develop in the area. Some of the community representatives object to the proposal. They fear an increase of traffic within their residential subdivision.

I am appreciative of the neighbors' concerns, however, I am ultimately persuaded by the request and rationale offered by representatives from the SHA, OP and DPW. The issue is decided not only based upon questions of traffic congestion and access, but also matters of public safety. More than one means of access to these properties is appropriate. If entrances to this subdivision from Philadelphia Road were blocked, emergency vehicles could not reach those residents. Moreover, I do not anticipate heavy volumes of traffic along these internal community roads; however, the ultimate construction of Holter Road would promote a better traffic flow and ease congestion. For all of these reasons, I would require that any development plan for the subject site would provide for the extension of Holter Road across the entire width of the property.

A second issue identified during the development plan review phase of the hearing relates to passive open space. Mr. Cook on behalf of the Department of Recreation and Parks (R&P) testified about the requirements of the Adequate Public Facilities Act and Local Open Space Manual, which standards are enforced by his Department. Apparently the area of "active" open space shown on the plan meets all County requirements insofar as acreage, grade, etc. The area of passive open space meets the County's requirements insofar as area; however, an issue was raised as to whether the passive open space meets all of the standards. Specifically, it was indicated that a part of the passive open space area is over the 10% maximum grade (estimated at 12%) and is wooded. Although some trees are permitted in areas of passive open space, it must generally be cleared and graded. This issue also impacts the Developer's storm water management plan in that the methodology to devise an appropriate method to handle storm water runoff is dependent, in part, on the clearing and grading of property.

Based upon the testimony and evidence offered, I would require that the Developer retain the passive open space at its present grade and character. Mr. Cook candidly acknowledged that the areas shown as passive open space would meet the spirit and intent of the Local Open

Space Manual. In my judgment, the trees should not be removed and that area of the property should not be graded. I find that sufficient factors exist to justify a retention of that area in its natural state.

There were several other issues relating to the development plan which were identified at that phase of the hearing; however, those issues appeared more easily resolvable. For example, the Office of Planning (OP) requested that the plan be amended to show driveways for proposed Lots 42 and 43. Additionally, the Land Acquisition division of DPDM requested further notations regarding easements on the property, and DEPRM requested other notes regarding technical standards be added. It is also to be noted that the Developer need obtain an access permit and meet all relevant SHA standards for the proposed road that will provide access to the site from Philadelphia Road. These include potential road improvements to Philadelphia Road, including the continuation of an auxiliary lane that presently exists abutting the Holter property. Other relatively minor issues relative to landscaping and screening and appropriate notes and changes evidencing same were identified at the hearing.

It is also to be noted that Mr. & Mrs. Wloczewski raised an issue regarding the storm water management plan. In this regard, a portion of the current drainage pattern on the site is being altered so as to capture more water runoff and direct same to the rear. Although most of the property presently drains to the rear and I-95, a portion of the front of the lot drains toward Philadelphia Road. Mr. Savage from DEPRM and the Developer's consultants indicated that part of the drainage towards the front of the site would be redirected to the rear so that there might ultimately be a net reduction in discharge along the front of the property, irrespective of the road improvements and development of the site. In this regard, it appears that the storm water management plan has been appropriately designed and will not cause adverse impact to the Wloczewski property or other adjacent parcels.

In sum, it appears that a development plan for this site could be approved consistent with the comments set forth above. Primarily, the plan need be amended to accommodate the

extension of Holter Road; however, the other issues appear resolvable. However, the primary opposition to the plan relates to the zoning relief requested, a discussion of which follows.

As noted above, a series of variances have been requested. The first variance sought is from the Threshold Limits for the Honeygo Area, which were established by Section 259.7 of the B.C.Z.R. In this case, those threshold limits would require the completion of certain road improvements to Cross Road and Forge Road before building permits could be issued for this project. Essentially, the Honeygo regulations and threshold limits established therein are designed to insure that sufficient infrastructure exists and is in place before development proceeds. As part of its Petition for Special Variance, the Developer seeks relief so that building permits can be released and the development built out before the improvements to Cross Road and Forge Road are completed.

Ken Schmid, a traffic engineer retained by the Owner/Developer, offered testimony in support of this request. His undisputed testimony was that the proposed development would have little if any impact on Forge and Cross Roads. Owing to its location, Mr. Schmid testified that most traffic would exit the site and use Philadelphia Road, Pulaski Highway (Maryland Route 40), I-95, and Joppa Road to reach employment and commercial destinations. Indeed, a review of the vicinity map for the general area shows that there will be little traffic that will be anticipated to use the Forge Road/Cross Road extensions. Mr. Eckard, on behalf of the Perry Hall Community Association, does not oppose the granting of this particular variance and acknowledged his agreement with Mr. Schmid's conclusions. Thus, in my judgment, that portion of the Petition for Special Variance would be appropriately granted.

A second variance requested relates to the storm water management pond. Under DEPRM's general regulations, the grade of the storm water management pond cannot exceed a slope of 2:1. Indeed, a 2:1 slope is proposed here; however, due to the enhanced standards of the Honeygo regulations found in Section 259.9.C.8 of the B.C.Z.R., the maximum permitted grade is a slope of 3:1. Thus, variance relief is requested. In this regard, Mr. Church indicated that the variance was needed to properly locate the pond where shown. He indicated that although the

ORDER RECEIVED FOR FILING
Date 12/3/12
By

slope would be slightly steeper than that allowed, it would result in a smaller pond from a footprint standpoint. That is, if the pond slope is steeper and the pond, therefore deeper, it will be smaller in diameter and circumference. Based upon the undisputed testimony and evidence offered on this issue, the grant of this variance seems appropriate.

The third variance requested relates to Lots 44, 45, and 46. Again, relief is requested from the stringent requirements of the Honeygo regulations. Those regulations require that attached garages be located 8 feet behind the front wall of a dwelling. It was indicated that all of the proposed homes for this project would feature attached two-car garages. Moreover, these garages would be setback 8 feet from the front building plane of the houses, except for those on Lots 44, 45, and 46. On those lots, the garages will be located on the same plane as the front wall of the houses. However, it was indicated that the driveways would have a minimum depth of 20 feet so that cars parked thereon would not extend over the public sidewalk or into the street right-of-way. The justification for this variance relates to the depth of those lots. Again, this is a variance, which on a limited basis, may be warranted for these three particular lots.

The two final variances requested were the main source of contention. Essentially, they might be characterized as blanket variances in that they are requested for a majority of the lots in the subdivision. The first of these requests seeks reduced side yard setbacks of as little as 34 feet in some instances and 43 feet in others in lieu of the required 50 feet. That is, a majority of these lots will be shorter in depth than permitted by the Honeygo regulations. The second variance that generated significant opposition relates to lot widths. Again, the Honeygo enhanced standards require a lot width of 85 feet. As shown on the site plan, a majority of the lots do not meet that minimum requirement. As the plan shows, two of the lots are as narrow as 65 feet wide, while others range in width from 70 feet to 80 feet.

Mr. Moskunas testified in support of the requested variances. He opined that the property is unique by virtue of its configuration. Specifically, he noted that the site is three times as deep as it is wide (approximately 540' wide by 1500' deep) and that this constraint justifies the

variance relief. He also noted the property's environmental constraints and the extension of Holter Road were factors that justified the variances.

The Protestants who appeared vigorously opposed the requests. They believe that, if granted, the variances will result in an overcrowded neighborhood inconsistent with the vicinity. They request strict application of the enhanced Honeygo standards and believe that the variances should not be granted.

Upon due consideration of the issues presented, I am persuaded to deny the variances from lot width and depth requirements. I concur with the Protestants' assertions that the plan as proposed represents an over-development of the site. The blanket variances requested are simply too inconsistent with the Honeygo standards and should not be approved.

Arguably, the narrowness of the property may justify some variance relief for the rear yard setbacks and reduced depths of certain lots. That is, the tract's narrow width coupled with the orientation of the houses in a north and south direction limits development possibilities. This might be remedied by the elimination of some lots in the interior of the site thereby providing the lots along the perimeter, (i.e., Lots 1 through 7, 11 through 21, and 40 through 47) with greater depths. However, the blanket variance request is simply inappropriate.

As to lot width, there is simply no testimony or evidence persuasive to a finding that relief should be granted. Although arguably the narrowness of the lots might cause a reduction in lot depths, the width of the lots are unaffected by that constraint. For example, the removal of one or two lots among that row of lots designated as Lots 11 through 21 would permit larger widths along that portion of the site. There is no persuasive testimony in the record supporting a reduction of lot widths, other than the Developer's apparent desire to maximize the number of units in this subdivision. I specifically find that neither the configuration of the lots, the environmental constraints associated with this property, nor the development plan requirements are factors sufficient to justify a variance from the lot width standards. The Developer has clearly not met the criteria contained in Section 307 of the B.C.Z.R. for variance relief as construed by Cromwell v. Ward, 102 Md. App. 691 (1995).

Having made this determination, that part of the Petition for Variance seeking relief from lot width and lot depth requirements shall be denied. In view thereof, the other variances that have been requested shall be dismissed as moot and the development plan shall be denied.

All that being said, residential development of this property is appropriate. This is not a case where any development of the site is inappropriate, merely this proposal. Therefore, if it so desires, the Developer may resubmit a development plan to Baltimore County without starting the review process anew. In that event, I would direct that an additional CIM be conducted in view of the community interest and significant anticipated changes to the plan. Thereafter, the matter would be scheduled for a DPC and ultimately, a Hearing Officer's Hearing. Moreover, I am not precluding the possibility that any variance relief associated with this project would be denied. As discussed above, a variance necessary to permit the storm water management plan as configured is appropriate, as is the special variance relating to the threshold limits and the potential extension of Cross Road and Forge Roads. Finally, in certain instances, reduced setbacks for the garages might be appropriate. Moreover, even some lots of slightly insufficient width or depth might be appropriate, given the general character of the property. I am not precluding the possibility that variance relief could be granted in some instances; however, the Developer's blanket request to variance the vast majority of all of these lots, both from a width and depth standpoint, is unacceptable.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be denied and the Petition for Special Variance and Variance granted in part and dismissed in part, in accordance with the attached Order.

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this 23rd day of July, 2002 that the red-lined development plan for Overlook at Perry Hall, identified herein as Developer's Exhibit 1A, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Special Variance seeking relief from Sections 259.8 and 4A02.4F of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the issuance of building permits for the proposed development (prior to the completion of certain road improvements to Cross Road and Forge Roads), be and is hereby DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the Petition for Special Variance seeking relief from the B.C.Z.R. as follows: From Section 259.9.C.3 to allow front entry garages to be located 0 feet from the front line building face projection of the house in lieu of the required 8-foot recess for Lots 44, 45 and 46; and, from Section 259.9.C.8 to permit storm water management pond slopes of 2:1 in lieu of the maximum allowed 3:1 slope, in accordance with Developer's Exhibit 1A, be and is hereby DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the Petition for Special Variance seeking relief from Section 259.9.B.4.e of the B.C.Z.R. to permit a rear yard setback of 34 feet for Lots 1 through 10, 12 through 26, 29 through 38, and 40 through 47, and 43 feet for Lot 11, all in lieu of the required 50 feet; and from Section 259.9.B.3 of the B.C.Z.R. to permit the lot widths shown in Table A (Attachment 1 of the Petition), measured along both the front and rear walls of the dwelling units, in lieu of the required 85 feet for each, together with a determination that Lots 21 and 22 comply with the provisions of Section 259.7S (Threshold Limits - Honeygo Area), due to the existence of a ridge line and not involving issues of capacity, in accordance with the development plan/site plan marked as Developer's Exhibit 1A, and be and is hereby DENIED.

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

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

LES:bjs

ORDER RECEIVED FOR FILING
Date 12/23/12
By BJS

Baltimore County
Zoning Commissioner

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

July 23, 2002

Howard L. Alderman, Jr., Esquire
Levin & Gann
502 Washington Avenue, 8th floor
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL VARIANCE
NW/S Old Philadelphia Road, 408' W of the c/l Holter Road
(11324 Philadelphia Road)
11th Election District – 5th Council District
Estate of Anna Schaech, Owners; Valmor, Inc., Contract Purchaser/Developer
Cases No. XI-884 & 02-518-SPVA-H

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The development plan has been denied and the Petition for Special Variance and Variance granted in part and dismissed in part, 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

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Laura Schaech, 11324 Philadelphia Road, White Marsh, Md. 21162
Akia Fox, Esquire, Venable, Baetjer & Howard, 2 Hopkins Plaza, #1800, Balto., Md. 21201
Mr. Uri Ben-Or, Valmor, Inc., P.O. Box 68, Reisterstown, Md. 21136
Mr. Vince Moskunas, Site Rite Surveying, Inc., 200 E. Joppa Road, #101, Towson, Md. 21286
Mr. Ronald O. Schaftel, Southern Land Co., 111 S. Calvert Street, #2820, Balto., Md. 21202
Mr. & Mrs. James Wloczewski, 11239 Philadelphia Road, White Marsh, Md. 21162
Ms. Betty Ann Kearney, 11235 Philadelphia Road, White Marsh, Md. 21162
Mr. & Mrs. E. LaBrun, 11130 Philadelphia Road, White Marsh, Md. 21162
Mr. Dennis Eckard, 39 Bangert Avenue, Perry Hall, Md. 21128
Mr. David Marks, 21 Donn Court, Perry Hall, Md. 21128
Mr. Philip A. Esposito, 5508 Rogue Court, White Marsh, Md. 21162
Mr. & Mrs. Greg Sachs, 11331 Holter Road, Perry Hall, Md. 21128
Mr. & Mrs. Todd Milliron, 11333 Holter Road, Perry Hall, Md. 21128
Mr. & Mrs. Herb Thompson, 5522 Edwin Court, White Marsh, Md. 21162
Mr. & Mrs. Roy Diefenbach, 5524 Edwin Court, White Marsh, Md. 21162
Don Rascoe, DPDM; DEPRM; DPW; OP; R&P; People's Counsel; Case File

Special Variance and Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11324 Philadelphia Road

which is presently zoned DR 3.5H & 2.H

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)

SEE ATTACHED

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

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

Developer

Contract Purchaser/~~Lessee~~:

VALMOR, INC
Name - Type or Print

By: _____
Signature

PO Box 68 443-415-8688
Address Telephone No.

Reisterstown MD 21136
City State Zip Code

Attorney For Petitioner:

Howard L. Alderman, Jr., Esquire
Name - Type or Print

_____
Signature

Levin & Gann, PA Nottingham Centre, 8th Floor
Company

502 Washington Avenue 410-321-0600
Address Telephone No.

Towson, MD 21204
City State Zip Code

Legal Owner(s):

Estate of Anna Schaech
Name - Type or Print

By: _____
Signature

Joseph Schaech, Personal Representative of the Estate of Anna Schaech
Name - Type or Print

_____
Signature

11324 Philadelphia Road 410-335-6159
Address Telephone No.

Whitemarsh MD 21162
State Zip Code

Edward L. Wender, Esquire
Venable
Two Hopkins Plaza, Suite 1800
Baltimore, MD 21201
410-244-7606
Owner's Counsel

Representative to be Contacted:

Site Rite Surveying, Inc.
Name

200 East Joppa Road, Suite 101 410-828-9060
Address Telephone No.

Towson MD 21286
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D. THOMPSON Date 5/20/02

Case No. 02-518-SPVA-H

REV 9/15/98

ORDERED RECEIVED FOR FILING
Date 1/23/02
By

To Be Combined With
Hearing Officer's Hearing
BCC § 26-206.1

Attachment 1
PETITION FOR VARIANCE

CASE NO: 02-_____-A

Address: 11324 Philadelphia Road
Legal Owners: Anna Schaech
Contract Purchaser: Valmor, Inc.

REQUESTED RELIEF:

Variances from *Baltimore County Zoning Regulations* (BCZR) as follows: i) from §§ 259.8 & 4A02.4.F, the Threshold Limits - Honeygo Area established by § 259.7, to permit the issuance of residential building permits for construction of single-family homes as shown on the development plan entitled *Overlook at Perry Hall*; ii) from § 259.9C.3 for front entry garages located 0 feet from the front line building face projection of house in lieu of the 8 foot recess required for Lot Nos. 44, 45 & 46; iii) from § 259.9B.4.e to permit a rear yard setback of thirty-four (34) feet for Lot Nos. 1 through 10, 12 through 26, 29 through 38, 40 through 47, and forty-three (43) feet for Lot No. 11, all in lieu of the 50 feet required; iv) from § 259.9.C.8.to permit stormwater management pond slopes of 2:1 in lieu of the 3:1 maximum; and v) from § 259.9B.3. to permit the lot widths shown below on Table A, measured along both the front wall and rear wall of the dwelling unit, in lieu of the 85 feet required; together with a determination that Lot Nos. 21 & 22 comply with the provisions of §259.7S due to existence of a ridge line and not involving issues of capacity; all as shown more particularly on the Plat to accompany this Petition.

TABLE A:

Lot No.	Requested Width	Lot No.	Requested Width	Lot No.	Requested Width	Lot No.	Requested Width
1	77'	14	80'	25	80'	39	70'
2	80'	15	80'	26	80'	40	68'
3	80'	16	80'	27	65'	41	75'
4	80'	17	80'	28	75'	44	70'
5	80'	18	80'	33	80'	45	70'
6	75'	19	80'	34	80'	46	70'
7	65'	20	80'	35	80'	47	79'
12	80'	23	80'	37	74'		
13	80'	24	80'	38	70'		

JUSTIFICATION:

A. Irregularly shaped lot;
B. Existing topographic and environmental constraints; and
C. For such further reasons that will be presented at the hearing on this Petition.

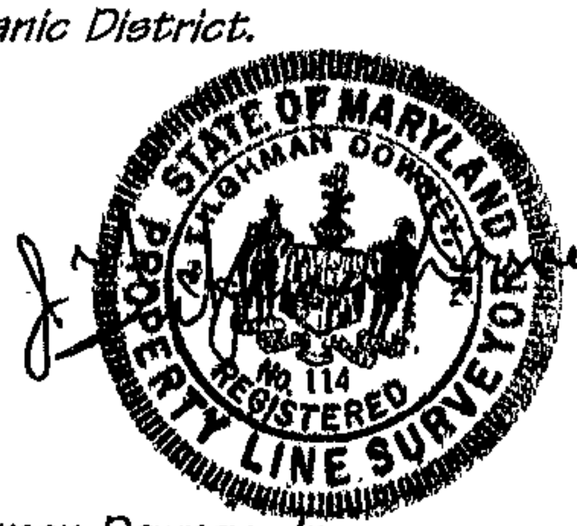
ORDER RECEIVED FOR FILING
Date 1/23/12
By

FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204
(410) 321-0600
Fax: (410) 296-2801

ZONING DESCRIPTION FOR LOTS
OF "OVERLOOK @ PERRY HALL"
AS SPECIFIED IN PETITION
#11324 Philadelphia Road

Beginning at a point in the centerline of Philadelphia Road which is 80 feet wide, a distance of 408 feet west of the centerline of Holter Road which is 50 feet wide. As recorded in the Land Records of Baltimore County in Deed Liber No. 1720, folio 327 and Liber No. 659, folio 577. Thence running S 35 degrees 20 minutes 42 seconds W, 278.47 feet; thence S 34 degrees 00 minutes 28 seconds W, 259.00 feet; thence N 64 degrees 34 minutes 32 seconds W, 1501.57 feet; thence N 44 degrees 53 minutes 31 seconds E, 562.45 feet and thence S 64 degrees 34 minutes 32 seconds E, 1401.06 feet to the place of beginning. Containing 17.65 acres of land, more or less. Located in the 11th. Election District, 5th. Councilmanic District.



J. Tilghman Downey, Jr.

Site Rite Surveying, Inc.
200 E. Joppa Road
Room 101
Towson, MD 21286
(410)828-9060

#518

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: #02-518-SPVA-H
11324 Philadelphia Road
N/west side Old Philadelphia Road, 408 feet west of center line of Holter Road
11th Election District - 5th Councilmanic District
Legal Owner(s): Estate of Anna Schaech, Joseph Schaech, Personal Representative of the Estate of Anna Schaech
Contract Purchaser: Valmor, Inc.

Special Variance and Petition for Variance: to permit the issuance of residential building permits for construction single-family homes; to permit front entry garages located 0 feet from line building face projection of house in lieu of the 8 feet recess required for Lot Nos. 44, 45, and 46; to permit a rear yard setback of 34 feet for Lot Nos. 1 through 10, 12 through 28, 29 through 38, 40 through 47, and 43 feet for Lot No. 11, all in lieu of the 50 feet required; and to permit the lot widths for 34 lots between 66 feet and 80 feet measured along both the front wall and rear wall of the dwelling unit, in lieu of the 85 feet required.

Hearing: Thursday, July 11, 2002 at 11:00 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.

JT/6/815 June 25 C546967

CERTIFICATE OF PUBLICATION

6/28/, 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 6/25/, 2002.

- [X] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 13385

DATE 5/20/02 ACCOUNT 001006150

AMOUNT $ 650.00

RECEIVED FROM: VALMOR INC c/o HOWARD ALDERMAN

ITEM # 518

FOR: PETITION FOR HONEYGO SPECIAL VARIANCE +
(OVERLOOK @ PERRY HALL)
VARIANCE - 11324 PHILADELPHIA RD.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME
5/20/2002	5/20/2002	12:02:04

REG W504 WALKIN DOOR DRAWER 2
>>RECEIPT # 183117 5/20/2002 OFLN
Dept 5 528 ZONING VERIFICATION
CK NO. 013385
Recpt Tot $650.00
650.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

APPEAL SIGN POSTING REQUEST

CASE NO.: 02-518-SPVA-H

JOSEPH SCHAECH, PERSONAL REPRESENTATIVE
OF THE ESTATE OF ANNA SCHAECH - LEGAL OWNERS

11324 PHILADELPHIA ROAD, WHITE MARSH

11TH ELECTION DISTRICT

APPEALED: 12/19/02

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 2)

APPEAL SIGN POSTING REQUEST

CASE NO.: 02-518-SPVA-H

JOSEPH SCHAECH, PERSONAL REPRESENTATIVE
OF THE ESTATE OF ANNA SCHAECH - LEGAL OWNERS

11324 PHILADELPHIA ROAD, WHITE MARSH

11TH ELECTION DISTRICT APPEALED: 12/19/02

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 2)

**********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.: 02-518-SPVA-H

Petitioner/Developer:

This is to certify that the necessary appeal sign was posted conspicuously on the property located at: 11324 Philadelphia Rd.

The sign was posted on 1/23, 2003

By: Gary Freund
(Signature of Sign Poster)

GARY FREUND
(Printed Name)

CERTIFICATE OF POSTING

RE: Case No.: 02-518-SPHA-H

Petitioner/Developer: GAMMA CONSTRUCTION CO.

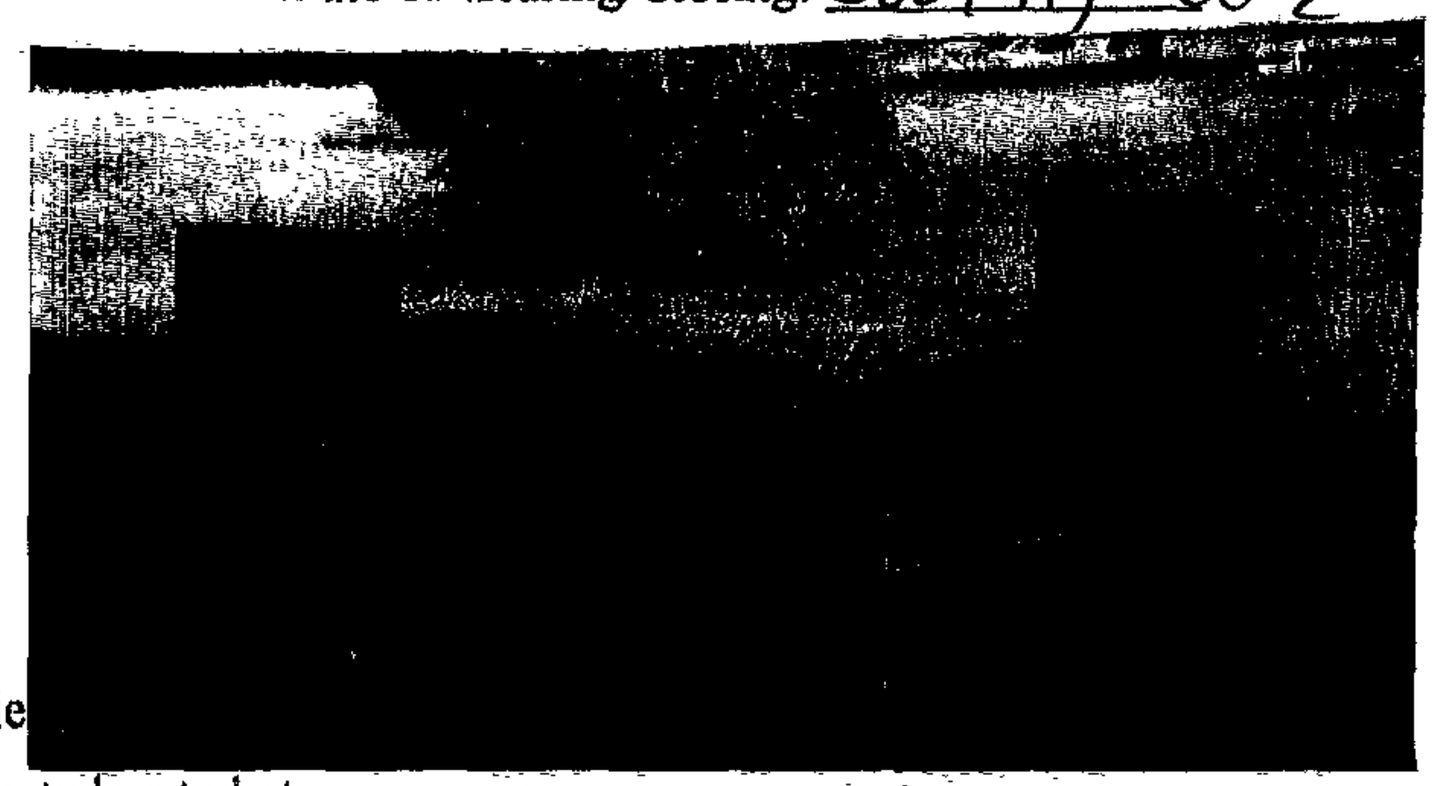
Date of Hearing/Closing: JULY 11, 2002

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



were posted conspicuously on the property located at #11324 PHILADELPHIA ROAD

The sign(s) were posted on JUNE 24, 2002
(Month, Day, Year)

Sincerely,

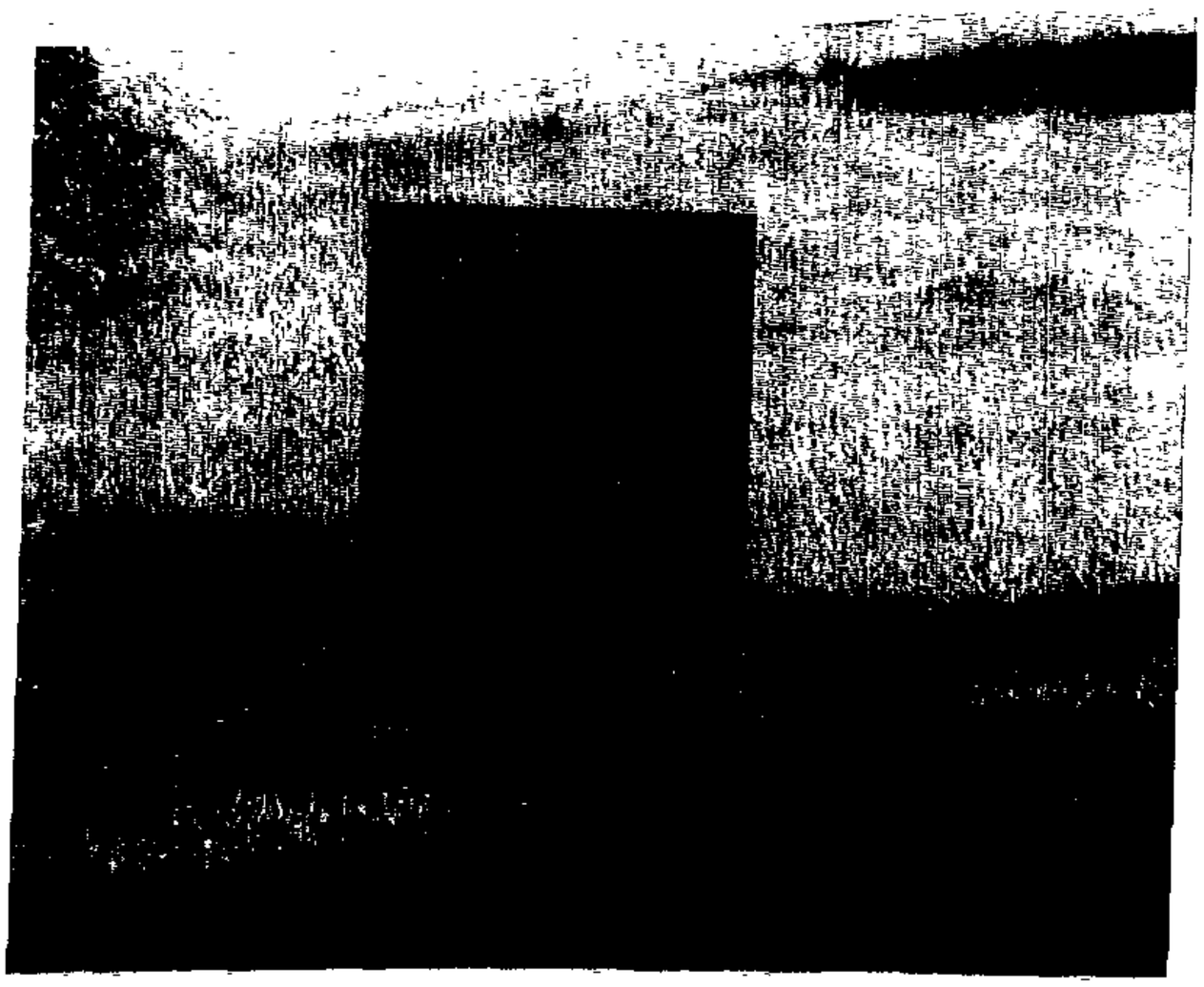
Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)



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

June 6, 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: 02-518--SPVA-H
11324 Philadelphia Road
N/west side Old Philadelphia Road, 408 feet west of center line of Holter Road
11th Election District – 5th Councilmanic District
Legal Owner: Estate of Anna Schaech, Joseph Schaech, Personal Representative of the Estate of Anna Schaech
Contract Purchaser: Valmor, Inc.

Special Variance and Petition for Variance to permit the issuance of residential building permits for construction single-family homes; to permit front entry garages located 0 feet from line building face projection of house in lieu of the 8 feet recess required for Lot Nos. 44, 45, and 46; to permit a rear yard setback of 34 feet for Lot Nos. 1 through 10, 12 through 26, 29 through 38, 40 through 47, and 43 feet for Lot No. 11, all in lieu of the 50 feet required; and to permit the lot widths for 34 lots between 65 feet and 80 feet measured along both the front wall and rear wall of the dwelling unit, in lieu of the 85 feet required.

HEARING: Thursday, July 11, 2002 at 11:00 a.m. in Room 106, Balto. County Ofc. Building, 111 W. Chesapeake Avenue

Arnold Jablon
Director

C: Howard L. Alderman, Esquire, Levin & Gann, PA, Nottingham Centre, 8th Floor, 502 Washington Avenue, Towson 21204
Estate of Anna Schaech, Joseph Schaech, Personal Representative of the Estate of Anna Schaech, 11324 Philadelphia Road, White Marsh 21162
Site Rite Surveying, Inc., 200 East Joppa Road, Suite 101, Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 25, 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.

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

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 25, 2002 Issue – Jeffersonian

Please forward billing to:
Site Rite Surveying, Inc. 410-828-9060
200 East Joppa Road, Suite 101
Towson, MD 21204

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: 02-518—SPVA-H
11324 Philadelphia Road
N/west side Old Philadelphia Road, 408 feet west of center line of Holter Road
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Special Variance and Petition for Variance to permit the issuance of residential building permits for construction single-family homes; to permit front entry garages located 0 feet from line building face projection of house in lieu of the 8 feet recess require for Lot Nos. 44, 45, and 46; to permit a rear yard setback of 34 feet for Lot Nos. 1 through 10, 12 through 26, 29 through 38, 40 through 47, and 43 feet for Lot No. 11, all in lieu of the 50 feet required; and to permit the lot widths for 34 lots between 65 feet and 80 feet measured along both the front wall and rear wall of the dwelling unit, in lieu of the 85 feet required.

HEARING: Thursday, July 11, 2002 at 11:00 a.m. in Room 106, Balto. County Ofc. Building, 111 W. Chesapeake Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

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---518 ----SPVA-H

Petitioner: Estate of Anna Schaech, Owner & Valmor, Inc., Contract Purchaser

Address or Location: 11324 Philadelphia Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Site Rite Surveying, Inc.

Address: 200 East Joppa Road, Suite 101

Towson MD 21286

Telephone Number: 410-828-9060

Revised 2/20/98 - SCJ

MEMO TO FILE

Item #518 - 02-518-SPVA-H
11324 Philadelphia Rd.

PLEASE SCHEDULE THIS HEARING FOR A SPECIAL VARIANCE AND VARIANCE WITH THE HEARING OFFICER'S HEARING FOR OVERLOOK AT PERRY HALL.

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

July 5, 2002

Howard L. Alderman, Jr. Esquire
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, MD 21204

Dear Mr. Alderman:

RE: Case Number:02-518 –SPVA-H, 11324 Philadelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 20, 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.
Supervisor, Zoning Review

WCR:rjc

Enclosures

c: Estate of Anna Schaech, Joseph Schaech, Personal Representative of the Estate of Anna Schaech, 11324 Philadelphia Road, White Marsh MD 21162
Site Rite Surveying, Inc. 200 East Joppa Road, Suite 101, Towson, MD 21286
People's Counsel

File

HODES, ULMAN, PESSIN & KATZ, P.A.
901 Dulaney Valley Road | Suite 400 | Towson, MD 21204
phone 410.938.8800 | fax 410.823.6017 | www.hupk.com

Robert D. Porter, Esquire | Telephone: 410.339.5791 | Facsimile: 410.938.8378 | Email: rporter@hupk.com

December 27, 2002

BY HAND DELIVERY
Arnold Jablon, Director
Department of Permits and
Development Management
111 West Chesapeake Avenue
Room 111
Towson, Maryland 21204

27

RE: Case #: CBA-02-161 and
Case #: 02-518-SPVA-H

Dear Mr. Jablon:

Enclosed for filing is the Appellant's Petition on Appeal.

Sincerely,

Robert D. Porter

Enclosure

cc: w/encl. as to all
Lawrence E. Schmidt, Hearing Officer/
Zoning Commissioner (by hand delivery)
The Southern Land Company, Inc.
Howard L. Alderman, Jr., Esquire
Edward L. Wender, Esquire

G:\files\RDP.LTR\12-26c.rdp.doc

Department of Permits and Development Management

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

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

April 26 2005

Howard L. Alderman, Jr.
Levin & Gann
Nottingham Centre
502 Washington Avenue, 8th Floor
Towson, MD 21204

RE: Zoning Spirit and Intent – Overlook at Perry Hall, Case # 02-518-SPVA-H (PDM # XI-884), 11th Election District

Dear Mr. Alderman:

Your recent letter to Timothy Kotroco, Director of Permits & Development Management, was forwarded to me for reply. Based on the information provided therein and my review of the available zoning records the following has been determined:

1. After consultation with Carl Richards, Zoning Review Supervisor, the proposed modifications to the site plan and order in Case # 02-518-SPVA that would add two additional lots to the Honeygo Special Variance (said variance allows for building permit authorizations prior to certain capital projects commencing) are approved as being in the spirit and intent of the Baltimore County Zoning Regulations (BCZR), subject to any restrictions contained in the Zoning Commissioner's order.

2. Please submit three (3) red-lined hearing plans (to my attention) reflecting the proposed changes including a verbatim copy of this response as well as a signature block that states:

   APPROVED AS BEING WITHIN THE SPIRIT AND INTENT OF THE PLAN AND ORDER IN ZONING CASE # 02-518-SPVA-H (PDM # XI-884)

   SIGNED BY DATE

   After the three (3) plans are signed by this office, a copy of your request letter, this response and a signed red-lined plan will be recorded and made a permanent part of the zoning case file.

3. A verbatim copy of this response must also be affixed to your refined development plan for the Development Review Committee (DRC) file (PDM # XI-884).

4. Amend the Final Development Plan (FDP) using the normal procedures. Include a verbatim copy of this response as well in the amended FDP.

5. This approval is for zoning only, and you will be required to comply with all other County and State regulations relative to this property.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely

Jeffrey N. Perlow

Jeffrey N. Perlow, Planner II
Zoning Review Office

cc: Zoning Case File 02-518-SPVA-H
File-Spirit & Intent Letters

HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION

NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

Received 4/25/05 Rve 5/12/05
To: JNP
see H.O.
F me 4/22/05

ELLIS LEVIN (1893-1960)
CALMAN A. LEVIN (1930-2003)

Refinement to DRC
Still Subject to 300'
or Special Hearing. Section

April 21, 2005

VIA HAND DELIVERY
Timothy M. Kotroco, Director
Baltimore County Department of Permits
and Development Management
111 West Chesapeake Avenue, Suite 109
Towson, Maryland 21204

RE: Overlook at Perry Hall
Case Nos.: XI-884 & 02-518-SPVA-H

Dear Mr. Kotroco:

I represent Gamma Construction Company, the owner of the property known as Overlook at Perry Hall, approved for development, initially, into a total of forty-two lots ("Overlook"). The development was well under density due to the Honeygo District regulations and the purported extent of wetlands. Since recordation of the plat for the Overlook property, the adjoining property has been proposed for development by someone else and the wetland delineation for that property revealed a significantly reduced area of wetlands.

Our client retained the services of the environmental analyst used by the owner of the adjoining property who, along with the Army Corps of Engineers, determined that the extent of wetlands on the Overlook property was overstated. After redefining the area of wetlands, the DRC approved the addition of two additional lots to Overlook. Our client has reached agreement with DEPRM regarding the modification of the environmental areas and will be recording shortly an amended record plat adding the two lots.

History:

The history of this project is as follows. Overlook was originally proposed for development as 47 lots, with many needing rear yard and/or lot width variances. The developer also requested a special Honeygo variance to permit building permits to be issued in advance of capital projects specified in the Zoning Regulations. On July 23, 2002, then Commissioner Schmidt, denied approval of the proposed development plan due to the requested lot width/rear yard variances. The special variance for building permit authorizations was dismissed as moot.

I filed, on behalf of the developer, a Motion for Reconsideration and Remand, seeking to submit a revised development plan that reduced the number of lots and did not require lot width or

rear yard variances. That Motion was granted and the revised development plan was remanded to a Development Plan Conference for agency review and comment.

The revised development plan for 42 lots was then approved by the Hearing Officer as was the request for Special Variance relief for building permit authorizations. Since the Overlook property is bisected by two subareas identified in BCZR § 259.7, a special variance was also granted permitting sewage from certain of the lots to drain to another subarea.

As described above, a revised wetland delineation was subsequently made of the Overlook property, permitting the addition of two residential lots. Those lots (like the 42 already approved) meet all setback and other dimensional , bulk and area requirements of the BCZR and the Honeygo District overlay.

Request:

The purpose of this letter is to request that you find the application of the Special Variance for building permit authorizations equally applicable to the two additional lots as within the sprit and intent of the Special Variance relief as granted. All of the same factors and conditions that justified the Special Variance for the initial 42 lots are equally applicable to the two additional lots. Also, although the County Council has recently changed the BCZR limiting the authority of the Zoning Commissioner to issue such Special Variances, the Overlook property is not affected. Both of the exceptions to the effect of that change are applicable to Overlook: i) the Overlook property is bisected by two or more subareas identified in Section 259.7; and ii) the Overlook property is the subject of a concept plan that was accepted for filing by the Department of Permits and Development Management prior to August 4, 2003. I have enclosed a copy of the orders issued in the above-referenced cases for your reference.

Therefore, we respectfully request that you find that the two additional lots at Overlook at Perry Hall are within the spirit and intent of the original Special Hearing variance, thereby making building permits available to those lots in advance of the Honeygo capital requirements. I have enclosed this firm's check in the amount of $50 as the filing fee for this request. Should you or your staff need any additional information in support of this request, please contact me at your earliest possible convenience.

Very truly yours,

Howard L. Alderman, Jr.

HLA/gk
Enclosure
c: Gamma Construction Company

Baltimore County
Department of Permits and
Development Management

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

December 20, 2002

Howard L. Alderman, Jr.
Levin & Gann, P.A.
502 Washington Avenue, 8th Fl.
Towson, MD 21204

Dear Mr. Alderman:

RE: Case No. 03-518-SPVAH,

Please be advised that an appeal of the above-referenced case was filed in this office on December 19, 2002 by Gerald M. Katz on behalf of Southern Land Company. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

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

Sincerely,

Arnold Jablon
Director

AJ:rlh

c: Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM
People's Counsel
Joseph Schaech, Personal Representative of the Estate of Anna Schaech
Valmor, Inc., P.O. Box 68, Reisterstown 21136
Site Rite Surveying, Inc., 200 E. Joppa Rd., Suite 101, Towson 21286
Gerald M. Katz, Hodes, Ulman, Pessin & Katz, 901 Dulaney Valley Road, Suite 400, Towson 21204

APPEAL

Petition for Variance and Special Variance
11324 Philadelphia Road
N/west side Old Philadelphia Road, 408 feet west of center line of Holter Road
11th Election District – 5th Councilmanic District
Joseph Schaech, Personal Representative of the Estate of
Anna Schaech - Legal Owner
VALMOR, INC.- Contract Purchaser
Case No.: 02-518-SPVAH

Petition for Variance and Special Variance (May 20, 2002)

Zoning Description of Property

Notice of Zoning Hearing (June 6, 2002)

Certification of Publication (The Jeffersonian issue June 25, 2002)

Certificate of Posting (June 24, 2002 posted by Garland E. Moore)

Entry of Appearance by People's Counsel (June 5, 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):
1. Subdivision Plat Holter Property
2. Plat to accompany Petition for Special Variance and Variance

Zoning Commissioner's Order (November 22, 2002 – APPROVED subject to the following restrictions)

Notice of Appeal received on December 19, 2002 from Gerald M. Katz, Hodes, Ulman, Pessin & Katz, P. A.

c: People's Counsel of Baltimore County, MS #2010
Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM
Howard L. Alderman, Levin & Gann, 502 Washington Ave., 8th Fl., Towson 21286
Joseph Schaech, Personal Representative of the Estate of Anna Schaech
Gerald M. Katz, Hodes, Ulman, Pessin & Katz, 901 Dulaney Valley Road, Suite 400, Towson 21204

date sent 12/20/02 rlh

December 18, 2002

VIA HAND DELIVERY

Run Ck

need check

Department of Permits and
Development Management
111 West Chesapeake Ave.
Room 111
Towson, MD 21204

Re: Case No. XI-884 & 02-518-SPVA-H

Dear Sir or Madam:

Enclosed is our check made payable to Baltimore County in the amount of $210. to cover the cost of filing the enclosed Notice of Appeal.

210.00

Sincerely,

Gerald M. Katz

Enclosures

Cc: via telefax w/encl.
Mr. Ronald O. Schaftel

Smw.gen\12-17

RE: PETITION FOR VARIANCE
11324 Philadelphia Road, NW/S Old Philadelphia Rd, 408' W of c/l Holter Rd
11th Election District, 5th Councilmanic

Legal Owner: Estate of Anna Schaech
Developer: Valmor, Inc.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-518-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 5th day of June, 2002 a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esq., Levin & Gann, 502 Washington Avenue, 8th Floor, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN

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

May 30, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 3, 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:

518

511-519, 521-523

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: June 3, 2002

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

RE: Baltimore County
Item No. 518 (DT)
MD 7
11324 Philadelphia Rd.
Mile Post 8.34

Dear Mr. Zahner:

This office has reviewed the referenced Item and has no objection for approval to the Special Variance and Petition for Variance. .

However we will require the owner to obtain an access permit and as a minimum the following will be required:

- Highway widening dedication to an ultimate 80' right-of-way, as well as off-site right-of-way dedication for the associated roadway improvements.
- 30' wide entrance with curbed 20' radii returns.
- Auxiliary lane widening 33' from the center of existing roadway from Holter Road to Neighborhood Street.
- Acceleration lane 250' total length, to include 150' curb and gutter and a 100' painted taper, 33' from the center of the existing roadway.
- Landing grade shall be 50' in length at a 3% maximum.
- A hydraulic analysis.
- Provide a typical section showing the improvements to MD 7.

Please have their representative contact this office regarding the roadway improvements conditioned to the permit.

Should any additional information be required 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 _____

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

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.28.02

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

RE: Baltimore County
Item No. 518 DT

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 _____

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, MD

December 18, 2002

VIA HAND DELIVERY

Department of Permits and
Development Management
111 West Chesapeake Ave.
Room 111
Towson, MD 21204

Re: Case No. XI-884 & 02-518-SPVA-H

Dear Sir or Madam:

Enclosed is our check made payable to Baltimore County in the amount of $210. to cover the cost of filing the enclosed Notice of Appeal.

Sincerely,

Gerald M. Katz

Enclosures

Cc: via telefax w/encl.
Mr. Ronald O. Schaftel

Smw.gen\12-17

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: June 3, 2002

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

RE: Baltimore County
Item No. 518 (DT)
MD 7
11324 Philadelphia Rd.
Mile Post 8.34

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However we will require the owner to obtain an access permit and as a minimum the following will be required:

- Highway widening dedication to an ultimate 80' right-of-way, as well as off-site right-of-way dedication for the associated roadway improvements.
- 30' wide entrance with curbed 20' radii returns.
- Auxiliary lane widening 33' from the center of existing roadway from Holter Road to Neighborhood Street.
- Acceleration lane 250' total length, to include 150' curb and gutter and a 100' painted taper, 33' from the center of the existing roadway.
- Landing grade shall be 50' in length at a 3% maximum.
- A hydraulic analysis.
- Provide a typical section showing the improvements to MD 7.

Please have their representative contact this office regarding the roadway improvements conditioned to the permit.

Should any additional information be required 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 _____

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.28.02

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

RE: Baltimore County
Item No. 518 DT

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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 _____

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, MD

CASE #: 02-518-SPVA-H

IN THE MATTER OF: Overlook at Perry Hall /XI-884
Valmor, Inc. – CP/Developer; Estate of Anna Schaech, LO
11324 Philadelphia Road 11th E; 6th C

11/22/02 – Final Order of HO/ZC on Remand in which revised Development Plan and variance relief was GRANTED; specific special variance and variance relief dismissed in part as moot (original decision issued 7/23/02).

✓ Petition for Variance and Special Variance (May 20, 2002)

✓ Zoning Description of Property

✓ Notice of Zoning Hearing (June 6, 2002)

✓ Certification of Publication (The Jeffersonian issue June 25, 2002)

✓ Certificate of Posting (June 24, 2002 posted by Garland E. Moore)

✓ Entry of Appearance by People's Counsel (June 5, 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):
✓ 1. Subdivision Plat Holter Property
✓ 2. Plat to accompany Petition for Special Variance and Variance

✓ Zoning Commissioner's Order (November 22, 2002 – APPROVED subject to the following restrictions)

✓ Notice of Appeal received on December 19, 2002 from Gerald M. Katz, Hodes, Ulman, Pessin & Katz, P. A.

c: People's Counsel of Baltimore County, MS #2010
Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM
Howard L. Alderman, Levin & Gann, 502 Washington Ave., 8th Fl., Towson 21286
Joseph Schaech, Personal Representative of the Estate of Anna Schaech
Gerald M. Katz, Hodes, Ulman, Pessin & Katz, 901 Dulaney Valley Road, Suite 400, Towson 21204

date sent 12/20/02 rlh

NOTIFICATION LIST

Howard L. Alderman, Jr., Esq., Levin & Gann, 502 Washington Ave., 8th Floor, Towson, MD 21204
Ms. Laura Schaech, 11324 Phildelphia Road, White Marsh, MD 21162
Akia Fox, Esq., Venable, Baetjer & Howard, 2 Hopkins Plaza, #1800, Baltimore, MD 21201
Mr. Uri Ben-Or, Valmor, Inc., P.O. Box 68, Reisterstown, MD 21136
Mr. Vince Moskunas, Site Rite Surveying, Inc., 200 E. Joppa Road, #101, Towson, MD 21286
Robert Porter, Esq., 901 Dulaney Valley Road, #400, Towson, MD 21204
Mr. Ronald O. Schaftel, Southern Land Company, 111 S. Calvert Street, #2820, Baltimore, MD 21202
Ms. Debra Beaty, 11403 Smiloff Road, White Marsh, MD 21162
Mr. & Mrs. James Wloczewski, 11239 Philadelphia Road, White Marsh, MD 21162
Ms. Betty Ann Kearney, 11235 Philadelphia Road, White Marsh, MD 21162
Mr. & Mrs. E. LaBrun, 11130 Philadelphia Road, White Marsh, MD 21162
Mr. Dennis Eckard, 39 Bangert Avenue, Perry Hall, MD 21128
Mr. David Marks, 21 Donn Court, Perry Hall, MD 21128
Mr. Philip A. Esposito, 5508 Rogue Court, White Marsh, MD 21162
Mr. & Mrs. Greg Sachs, 11331 Holter Road, Perry Hall, MD 21128
Mr. & Mrs. Todd Milliron, 11333 Holter Road, Perry Hall, MD 21128
Mr. & Mrs. Herb Thompson, 5522 Edwin Court, White Marsh, MD 21162
Mr. & Mrs. Diefenbach, 5524 Edwin Court, White Marsh, MD 21162

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

VE

COPIES TO:

Ms. Laura Schaech
11324 Philadelphia Road
White Marsh, MD 21162

Akia Fox, Esq.
Venable, Baetjer & Howard
2 Hopkins Plaza, #1800
Baltimore, MD 21201

Mr. Uri Ben-Or
Valmor, Inc.
P.O. Box 68
Reisterstown, MD 21136

Mr. Vince Moskunas
Site Rite Surveying, Inc.
200 E. Joppa Road, #101
Towson, MD 21286

Robert Porter, Esq.
901 Dulaney Valley Road, #400
Towson, MD 21204

Mr. Ronald O. Schaftel
Southern Land Company
111 S. Calvert Street, #2820
Baltimore, MD 21202

Ms. Debra Beaty
11403 Smiloff Road
White Marsh, MD 21162

Mr. & Mrs. James Wloczewski
11239 Philadelphia Road
White Marsh, MD 21162

Ms. Betty Ann Kearney
11235 Philadelphia Road
White Marsh, MD 21162

Mr. & Mrs. E. LaBrun
11130 Philadelphia Road
White Marsh, MD 21162

Mr. Dennis Eckard
39 Bangert Avenue
Perry Hall, MD 21128

Mr. David Marks
21 Donn Court
Perry Hall, MD 21128

Mr. Philip A. Esposito
5508 Rogue Court
White Marsh, MD 21162

Mr. & Mrs. Greg Sachs
11331 Holter Road
Perry Hall, MD 21128

Mr. & Mrs. Todd Milliron
11333 Holter Road
Perry Hall, MD 21128

Mr. & Mrs. Herb Thompson
5522 Edwin Court
White Marsh, MD 21162

Mr. & Mrs. Roy Diefenbach
5524 Edwin Court
White Marsh, MD 21162

Case No. CBA-02-161

Case No. 02-518-SPVA-H

Revised Development Plan –Overlook at Perry Hall /PDM XI-884 (APPROVED per red-line Plan with restrictions) **and**
VAR –issuance of bldg permits prior to completion of road imp. to Cross Road and Forge Road; SWM pond slopes; compliance of Lots 37 and 42 /Honeygo (GRANTED)
Special Variance and Variance /garages, setbacks, lot widths dismissed as moot.

11/22/02 – Final Order of HO/ZC on Remand in which revised Development Plan and variance relief was GRANTED; specific special variance and variance relief dismissed in part as moot (original decision issued 7/23/02).

12/20/02 --Notice of Assignment sent to following parties; matter scheduled for hearing on Tuesday, January 21, 2003 at 9:00 a.m.:

Gerald M. Katz, Esquire
Ronald O. Schaftel /Southern Land Co., Inc.
Robert Porter, Esquire
Howard L. Alderman, Jr., Esquire
Uri Ben-Or /Valmor, Inc.
Vince Moskunas /Site Rite Surveying, Inc.
Akia Fox, Esquire
Laura Schaech /Joseph Schaech – Estate of Anna Schaech

M/M James Wloczewski	M/M E LaBrun	M/M Roy Diefenbach
Betty Ann Kearney	Phillip A. Esposito	
Dennis Eckard	M/M Greg Sachs	
David Marks	M/M Todd Milliron	
Debra Beaty	M/M Herb Thompson	

Office of People's Counsel
Pat Keller, Director /Planning
Lawrence E. Schmidt /ZC
Donald Rascoe, Development Mgr /PDM
Arnold Jablon, Director /PDM

12/30/02 – Received via interoffice mail Appellant's Petition on Appeal filed in PDM on 12/27/02 by Robert D. Porter, Esquire, on behalf of Southern Land Company, Inc., Appellant. File noted.

1/16/03 – Received via FAX – Joint Request (Motion) for Postponement to allow time for the parties to this matter to reach a settlement; requested that the case be reassigned to a date not to exceed 30 days from 1/21/03.
- Request GRANTED; case reassigned to Thursday, February 20, 2003 at 10:00 a.m. Notice of PP and Reassignment sent this date. Copy to counsel this date via FAX; hard copy sent by mail.

1/21/03 – Received hard copy of above letter – requesting postponement (reassigned to 2/20/03 – see entry of 1/16/03.

2/19//03 – T/C from H. Alderman regarding proposed postponement request – unable to secure all necessary signatures /review of settlement due to inclement weather conditions (snowstorm – County offices /courts closed 2/18/03; courts closed 2/19/03). Confirmed with Mr. Alderman that the Board would grant a postponement upon request of the parties.
-- Joint Motion for Postponement received via FAX from Mr. Alderman.
-- Second Notice of PP and Reassignment sent to parties; case reassigned to Tuesday, March 11, 2003 at 10:00 a.m. FYI copy to panel scheduled for 10 a.m. on 3/11/03. Copy via FAX to Messrs. Alderman and Proctor this date.

2/20/03 – Received original of Joint postponement request (see above).

County Board of Appeals of Baltimore County

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

W/D 3/10/03 of Stipulation issued & filed.

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

February 19, 2003

SECOND NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: CBA-02-161 and

CASE #: 02-518-SPVA-H

IN THE MATTER OF: Overlook at Perry Hall /XI-884
Valmor, Inc. – CP/Developer; Estate of Anna Schaech, LO
11324 Philadelphia Road 11th E; 6th C

11/22/02 – Final Order of HO/ZC on Remand in which revised Development Plan and variance relief was GRANTED; specific special variance and variance relief dismissed in part as moot (original decision issued 7/23/02).

which was reassigned to be heard on 2/20/03 has been POSTPONED by joint request of counsel to a date "not to exceed 30 days from 2/20/03"; and has been

REASSIGNED FOR: **TUESDAY, MARCH 11, 2003 at 10:00 a.m.**

As to Case No. CBA-02-161 /this matter has been assigned for hearing in accordance with Section 26-209 of the *BCC* ; and as to Case No. 02-518-SPVA-H– 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 : Gerald M. Katz, Esquire
Appellant /Protestant : Ronald O. Schaftel /Southern Land Co., Inc.
Robert Porter, Esquire

Counsel for Developer : Howard L. Alderman, Jr., Esquire
Developer : Uri Ben-Or /Valmor, Inc.
Vince Moskunas /Site Rite Surveying, Inc.

Counsel for Legal Owner : Akia Fox, Esquire
Legal Owner : Laura Schaech /Joseph Schaech – Estate of Anna Schaech

M/M James Wloczewski
Betty Ann Kearney
Dennis Eckard
David Marks
Debra Beaty

M/M E LaBrun
Phillip A. Esposito
M/M Greg Sachs
M/M Todd Milliron
M/M Herb Thompson

M/M Roy Diefenbach

Office of People's Counsel
Pat Keller, Director /Planning
Lawrence E. Schmidt /ZC
Donald Rascoe, Development Mgr /PDM
Arnold Jablon, Director /PDM

County Board of Appeals of Baltimore County

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

ppd to 3/11/03 by joint request

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

January 16, 2003

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: CBA-02-161 and

CASE #: 02-518-SPVA-H

IN THE MATTER OF: Overlook at Perry Hall /XI-884
Valmor, Inc. – CP/Developer; Estate of Anna Schaech, LO
11324 Philadelphia Road 11th E; 6th C

11/22/02 – Final Order of HO/ZC on Remand in which revised Development Plan and variance relief was GRANTED; specific special variance and variance relief dismissed in part as moot (original decision issued 7/23/02).

which was assigned to be heard on 1/21/03 has been POSTPONED by joint request of counsel to a date "not to exceed 30 days from 1/21/03" to allow "sufficient time to conclude settlement negotiations; and has been

REASSIGNED FOR: **THURSDAY, FEBRUARY 20, 2003 at 10:00 a.m.**

As to Case No. CBA-02-161 /this matter has been assigned for hearing in accordance with Section 26-209 of the *BCC* ; and as to Case No. 02-518-SPVA-H– 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 : Gerald M. Katz, Esquire
Appellant /Protestant : Ronald O. Schaftel /Southern Land Co., Inc.
Robert Porter, Esquire

Counsel for Developer : Howard L. Alderman, Jr., Esquire
Developer : Uri Ben-Or /Valmor, Inc.
Vince Moskunas /Site Rite Surveying, Inc.

Counsel for Legal Owner : Akia Fox, Esquire
Legal Owner : Laura Schaech /Joseph Schaech – Estate of Anna Schaech

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M/M Roy Diefenbach

Office of People's Counsel
Pat Keller, Director /Planning
Lawrence E. Schmidt /ZC
Donald Rascoe, Development Mgr /PDM
Arnold Jablon, Director /PDM

County Board of Appeals of Baltimore County

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

pp'd to 2/20/03 Joint Request

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

December 20, 2002

NOTICE OF HEARING

CASE #: CBA-02-161 and

CASE #: 02-518-SPVA-H

IN THE MATTER OF: Overlook at Perry Hall /XI-884
Valmor, Inc. – CP/Developer; Estate of Anna Schaech, LO
11324 Philadelphia Road 11th E; 6th C

11/22/02 – Final Order of HO/ZC on Remand in which revised Development Plan and variance relief was GRANTED; specific special variance and variance relief dismissed in part as moot (original decision issued 7/23/02).

ASSIGNED FOR: **TUESDAY, JANUARY 21, 2003 at 9:00 a.m.**

As to Case No. CBA-02-161 /this matter has been assigned for hearing in accordance with Section 26-209 of the *BCC* ; and as to Case No. 02-518-SPVA-H– 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 : Gerald M. Katz, Esquire
Appellant /Protestant : Ronald O. Schaftel /Southern Land Co., Inc.
Robert Porter, Esquire

Counsel for Developer : Howard L. Alderman, Jr., Esquire
Developer : Uri Ben-Or /Valmor, Inc.
Vince Moskunas /Site Rite Surveying, Inc.

Counsel for Legal Owner : Akia Fox, Esquire
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M/M James Wloczewski
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M/M Roy Diefenbach

Office of People's Counsel
Pat Keller, Director /Planning
Lawrence E. Schmidt /ZC
Donald Rascoe, Development Mgr /PDM
Arnold Jablon, Director /PDM

Baltimore County
Department of Permits and
Development Management

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

December 20, 2002

Howard L. Alderman, Jr.
Levin & Gann, P.A.
502 Washington Avenue, 8th Fl.
Towson, MD 21204

Dear Mr. Alderman:

RE: Case No. 03-518-SPVAH,

Please be advised that an appeal of the above-referenced case was filed in this office on December 19, 2002 by Gerald M. Katz on behalf of Southern Land Company. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

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

Sincerely,

Arnold Jablon
Director

AJ:rlh

c: Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM
People's Counsel
Joseph Schaech, Personal Representative of the Estate of Anna Schaech
Valmor, Inc., P.O. Box 68, Reisterstown 21136
Site Rite Surveying, Inc., 200 E. Joppa Rd., Suite 101, Towson 21286
Gerald M. Katz, Hodes, Ulman, Pessin & Katz, 901 Dulaney Valley Road, Suite 400, Towson 21204

HODES, ULMAN, PESSIN & KATZ, P.A.
901 Dulaney Valley Road | Suite 400 | Towson, MD 21204
phone 410.938.8800 | fax 410.823.6017 | www.hupk.com

Gerald M. Katz, Esquire | Telephone: 410.339.6748 | Facsimile: 410.938.8378 | Email: gmkatz@hupk.com

December 18, 2002

VIA HAND DELIVERY

Department of Permits and
Development Management
ATTENTION: Arnold Jablon
111 West Chesapeake Ave.
Room 111
Towson, MD 21204

Re: Case No. XI-884 & 02-518-SPVA-H

Dear Mr. Jablon:

Enclosed is our check made payable to Baltimore County in the amount of $600.00 to cover the cost of filing the enclosed Notice of Appeal.

Sincerely,

Gerald M. Katz

Enclosures

Cc: via telefax w/encl.
Mr. Ronald O. Schaftel

Smw.gen\12-17

RECEIVED
DEC 18 2002
By bh

Department of Permits and Development Management

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

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

April 26 2005

Howard L. Alderman, Jr.
Levin & Gann
Nottingham Centre
502 Washington Avenue, 8th Floor
Towson, MD 21204

RE: Zoning Spirit and Intent – Overlook at Perry Hall, Case # 02-518-SPVA-H (PDM # XI-884), 11th Election District

Dear Mr. Alderman:

Your recent letter to Timothy Kotroco, Director of Permits & Development Management, was forwarded to me for reply. Based on the information provided therein and my review of the available zoning records the following has been determined:

1. After consultation with Carl Richards, Zoning Review Supervisor, the proposed modifications to the site plan and order in Case # 02-518-SPVA that would add two additional lots to the Honeygo Special Variance (said variance allows for building permit authorizations prior to certain capital projects commencing) are approved as being in the spirit and intent of the Baltimore County Zoning Regulations (BCZR), subject to any restrictions contained in the Zoning Commissioner's order.

2. Please submit three (3) red-lined hearing plans (to my attention) reflecting the proposed changes including a verbatim copy of this response as well as a signature block that states:

   APPROVED AS BEING WITHIN THE SPIRIT AND INTENT OF THE PLAN AND ORDER IN ZONING CASE # 02-518-SPVA-H (PDM # XI-884)

   SIGNED BY DATE

   After the three (3) plans are signed by this office, a copy of your request letter, this response and a signed red-lined plan will be recorded and made a permanent part of the zoning case file.

3. A verbatim copy of this response must also be affixed to your refined development plan for the Development Review Committee (DRC) file (PDM # XI-884).

4. Amend the Final Development Plan (FDP) using the normal procedures. Include a verbatim copy of this response as well in the amended FDP.

5. This approval is for zoning only, and you will be required to comply with all other County and State regulations relative to this property.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely

Jeffrey N. Perlow

Jeffrey N. Perlow, Planner II
Zoning Review Office

cc: Zoning Case File 02-518-SPVA-H
File-Spirit & Intent Letters

Refinement 1/25/05 Rec'd 5/12/05
To: JNP
See H.O.
+ ME 4/27/05

HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

ELLIS LEVIN (1893-1960)
CALMAN A. LEVIN (1930-2003)

Refinement to DRC
Still Subject to 300' Section
or Special Hearing

April 21, 2005

VIA HAND DELIVERY
Timothy M. Kotroco, Director
Baltimore County Department of Permits
and Development Management
111 West Chesapeake Avenue, Suite 109
Towson, Maryland 21204

RE: Overlook at Perry Hall
Case Nos.: XI-884 & 02-518-SPVA-H

Dear Mr. Kotroco:

I represent Gamma Construction Company, the owner of the property known as Overlook at Perry Hall, approved for development, initially, into a total of forty-two lots ("Overlook"). The development was well under density due to the Honeygo District regulations and the purported extent of wetlands. Since recordation of the plat for the Overlook property, the adjoining property has been proposed for development by someone else and the wetland delineation for that property revealed a significantly reduced area of wetlands.

Our client retained the services of the environmental analyst used by the owner of the adjoining property who, along with the Army Corps of Engineers, determined that the extent of wetlands on the Overlook property was overstated. After redefining the area of wetlands, the DRC approved the addition of two additional lots to Overlook. Our client has reached agreement with DEPRM regarding the modification of the environmental areas and will be recording shortly an amended record plat adding the two lots.

History:

The history of this project is as follows. Overlook was originally proposed for development as 47 lots, with many needing rear yard and/or lot width variances. The developer also requested a special Honeygo variance to permit building permits to be issued in advance of capital projects specified in the Zoning Regulations. On July 23, 2002, then Commissioner Schmidt, denied approval of the proposed development plan due to the requested lot width/rear yard variances. The special variance for building permit authorizations was dismissed as moot.

I filed, on behalf of the developer, a Motion for Reconsideration and Remand, seeking to submit a revised development plan that reduced the number of lots and did not require lot width or

RECEIVED

Per.....

Timothy M. Kotroco, Director
April [illegible], 2004
Page [illegible]

[illegible] Variances. That Motion was granted and the revised development plan was remanded to the Development Plan Conference for agency review and comment.

The revised development plan for 42 lots was then approved by the Hearing Officer as was the request for Special Variance relief for building permit authorizations. Since the Overlook property is bisected by two subareas identified in BCZR § 259.7, a special variance was also granted permitting sewage from certain of the lots to drain to another subarea.

As described above, a revised wetland delineation was subsequently made of the Overlook property, permitting the addition of two residential lots. Those lots (like the 42 already approved) meet all setback and other dimensional , bulk and area requirements of the BCZR and the Honeygo District overlay.

Request:

The purpose of this letter is to request that you find the application of the Special Variance for building permit authorizations equally applicable to the two additional lots as within the sprit and intent of the Special Variance relief as granted. All of the same factors and conditions that justified the Special Variance for the initial 42 lots are equally applicable to the two additional lots. Also, although the County Council has recently changed the BCZR limiting the authority of the Zoning Commissioner to issue such Special Variances, the Overlook property is not affected. Both of the exceptions to the effect of that change are applicable to Overlook: i) the Overlook property is bisected by two or more subareas identified in Section 259.7; and ii) the Overlook property is the subject of a concept plan that was accepted for filing by the Department of Permits and Development Management prior to August 4, 2003. I have enclosed a copy of the orders issued in the above-referenced cases for your reference.

Therefore, we respectfully request that you find that the two additional lots at Overlook at Perry Hall are within the spirit and intent of the original Special Hearing variance, thereby making building permits available to those lots in advance of the Honeygo capital requirements. I have enclosed this firm's check in the amount of $50 as the filing fee for this request. Should you or your staff need any additional information in support of this request, please contact me at your earliest possible convenience.

Very truly yours,

Howard L. Alderman, Jr.

HLA/gk
Enclosure
c: Gamma Construction Company

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

DATE: May 16, 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**
02-518-SPVA-H	***02-518-SPVA-H***	OVERLOOK AT PERRY HALL	11324 PHILADELPHIA ROAD
CBA-02-161	***PDM NO.: XI-884***	OVERLOOK AT PERRY HALL	PHILADELPHIA ROAD

Attachment: SUBJECT FILE(S) ATTACHED

Protestants No 1

Southern LAND

Developing Land for America's Homebuilders

July 10, 2002

HAND DELIVERED

Mr. Lawrence Schmidt
Zoning Commissioner of Baltimore County
401 Bosley Avenue, Room 405
Towson, Maryland 21204

Re: Kangro Property/Overlook at Perry Hall

Dear Mr. Schmidt:

It has come to our attention that the "Overlook at Perry Hall" Development Plan has been submitted to Baltimore County for its consideration and a Hearing Officer's Hearing is scheduled for 9:00 a.m. on July 11, 2002. This plan does not show a vehicular connection to the adjacent parcel that our company is in the early planning stages of developing known as the "Kangro Property" (6.73 acres, tax map 73, parcel 45, zoned DR-2H and DR-3.5H). Though we have not yet submitted a subdivision plan, we intend to formally submit our Concept Plan for a single-family detached lot layout in the very near future. The reason that we require a connection from the "Overlook at Perry Hall" development even though we do have frontage on Philadelphia Road is that our experts tell us two (2) entrances along Philadelphia Road (approximately 150 feet apart) would be too close to one another thereby creating a potentially dangerous situation. Creating a single entrance for both developments would eliminate this danger.

Also, in order to sewer the northern half of the "Kangro Property" it will be necessary for the developer of the "Overlook at Perry Hall" property to extend a sewer line to the "Kangro Property." This sewer line extension should be located along the north side of proposed lot number 11 of "Overlook at Perry Hall."

We have attached with this letter two exhibits for your review:

Harborplace Tower, 111 South Calvert Street, Suite 2820, Baltimore, Maryland 21202
Phone: (410)-347-4800 Fax: (410)-347-4806 E-Mail: slcland@aol.com

Exhibit I - Tax Map illustrating the location of "Overlook at Perry Hall" and its proximity to the "Kangro Property."

Exhibit II - Combination of "Overlook at Perry Hall's" proposed Development Plan dated March 4, 2002 with our Preliminary Plan of the "Kangro Property."

Please refer to Exhibit II to identify the proposed road connection as well as sewer line extension to the "Kangro Property" through "Overlook at Perry Hall."

It is my understanding that the Zoning Regulations in Baltimore County and more specifically the Baltimore County Development Procedures and Policy Manual Department of Public Works, Division II, Sections 9.5.1F and 11.2 require that a paved street connection including all utilities be made to adjacent properties.

Further, the Office of Planning identified this issue in its own right and formally commented as such in both its Concept Plan comments and Development Plan Comments on the "Overlook at Perry Hall" project, that Holter Road be connected to the "Kangro Property."

Given the above, we would greatly appreciate if you would require the developer of the "Overlook at Perry Hall" project to amend its Development Plan and to physically construct in the field the requested road connection and sewer connection along the north side of proposed lot 11 as well as all other utilities, including but not limited to, sewer, water, storm drain, gas, electric, cable TV, telephone, etc. to the "Kangro Property" line in Holter Road at the same time the rest of the "Overlook at Perry Hall" project is being constructed.

Thank you very much for your prompt attention to this matter and we greatly

appreciate your cooperation.

Very truly yours,

David E. Altfeld

Ronald O. Schaftel

DEA:mtf
enclosures

cc: Mr. Robert Bowling, Supervisor, Department of Permits & Development Management
Mr. Mark Cunningham, Office of Planning
Ms. Lynn Lanham, Office of Planning
Mr. Arnold F. "Pat" Keller, III, Director, Office of Planning
Mr. Donald Rascoe, Development Manager, Office of Permits and Management

c:\wp50\kangro\baltoco

HODES, ULMAN, PESSIN & KATZ, P.A.
901 Dulaney Valley Road | Suite 400 | Towson, MD 21204
phone 410.938.8800 | fax 410.823.6017 | www.hupk.com

Robert D. Porter, Esquire | Telephone: 410.339.5791 | Facsimile: 410.938.8378 | Email: rporter@hupk.com

October 9, 2002

Community No 1

VIA TELEFAX (410-296-2801)
Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
Nottingham Centre
502 Washington Avenue, 8th Floor
Towson, Maryland 21204

RE: Valmor, Inc. – Overlook at Perry Hall
The Southern Land Company

Dear Howard:

Our firm represents The Southern Land Company ("Southern") in connection with the referenced development by Valmor Inc. ("Valmor"). Southern is the contract purchaser of the property (the "Kangro Property") adjacent to and south of the Valmor property. As you know, Southern wants to facilitate the development of the Kangro Property with Valmor's development of Overlook at Perry Hall ("Overlook").

Southern has the following concerns with the Overlook development plan, which we expect can be amicably resolved:

1. Roads.

Southern desires an assurance from Valmor that the extension of Holter Road to the property line with the Kangro Property will be designed and constructed at an elevation, which is consistent with the Kangro Property. Southern wants to ensure that the extension of Holter Road will be constructed, dedicated and conveyed to Baltimore County simultaneously with the construction, dedication and conveyance of the roads shown on the Overlook development plan.

Southern also requests an easement for access, ingress and egress to the Kangro Property over the roads in Overlook. This easement would commence at such time as Valmor installs the gravel base for Holter Road (which would be installed at the same time as the gravel base on other roads in Overlook) and expire at such time as Baltimore County accepts title to the road beds in Overlook.

2. Utilities

Southern desires an assurance from Valmor that public utilities installed by Valmor in Overlook (including, but not necessarily limited to sewer, water, storm drains,

electric, telephone, gas and cable/fiber optics) will be extended to the property line of the Kangro Property within the road bed of Holter Road. Southern also wants a sewer connection to extend between Lot 9 and Lot 10 in Overlook to the property line of the Kangro Property.

3. Wetlands Delineation.

Valmor's development plan for Overlook includes a wetlands delineation on the Kangro Property. Southern's environmental consultants' preliminary examination of the Kangro Property indicates that the wetlands delineation shown on the Kangro Property by Valmor is incorrect and should be removed. Therefore, the development plan for the Overlook should be amended to eliminate any references to wetlands on the Kangro Property.

4. Stormwater Management.

Southern will agree to pay Valmor for Southern's proportionate share of the costs of constructing the stormwater management pond that is shown on the Overlook development plan, provided that the pond is designed and constructed to accommodate the stormwater management requirements for the residential development of the Kangro Property, that Valmor grants Southern reasonable easements for Southern's use of the pond and that Southern actually uses the pond for its development of the Kangro Property. Southern's proportionate share will equal the cost to construct the pond multiplied by a fraction, the numerator of which is the total number of lots on the Kangro Property and the denominator of which is the total number of lots in Overlook plus the total number of lots on the Kangro Property.

With respect to the engineering and design of the Holter Road extension, utilities and the stormwater management pond, Southern will instruct its engineers to coordinate with Valmor's engineers.

5. No Appeals.

Southern, Valmor and their respective contract sellers would need to agree not to appeal any development plan approvals involving Overlook and the Kangro Property (including any special exceptions, variances, special variances or other zoning relief), provided that all of the same are in accordance with the terms set forth herein.

6. Agreement.

If the foregoing terms are acceptable to Valmor, we will prepare an agreement between the parties and the respective property owners. The agreement would be recorded among the Land Records at Southern's expense (provided that if the State and/or county

assess any transfer or recordation taxes on the recording of the agreement, the parties will cooperate in attempting to reduce or eliminate such taxes).

7. Potential Conflict of Interest.

I recently learned that one of our litigation partners opened a file in which our firm represents Mr. Ben-Or and/or an entity in which he has an ownership interest. That matter appears to be completely unrelated to this project, but I have not been able to speak with the attorney who opened the file to confirm this. In the event that a potential conflict exists, our firm will continue to represent Southern only to the extent permitted by the Maryland Rules of Professional Conduct. If a potential conflict exists, Southern has agreed to waive the conflict. However, if both parties do not agree to a waiver, Southern plans to retain J. Carroll Holzer, Esquire to represent them in connection with this matter. Please let me know whether Mr. Ben-Or would agree to waive a potential conflict.

Thank you for your consideration of this matter; I look forward to hearing from you.

Sincerely,

Robert D. Porter

cc: Mr. Ronald O. Schaftel
Mr. David E. Altfeld
Gerald M. Katz, Esq.

G:\files\RDP.LTR\10-08-1.rdp.doc

Tax Map Location

EXHIBIT I

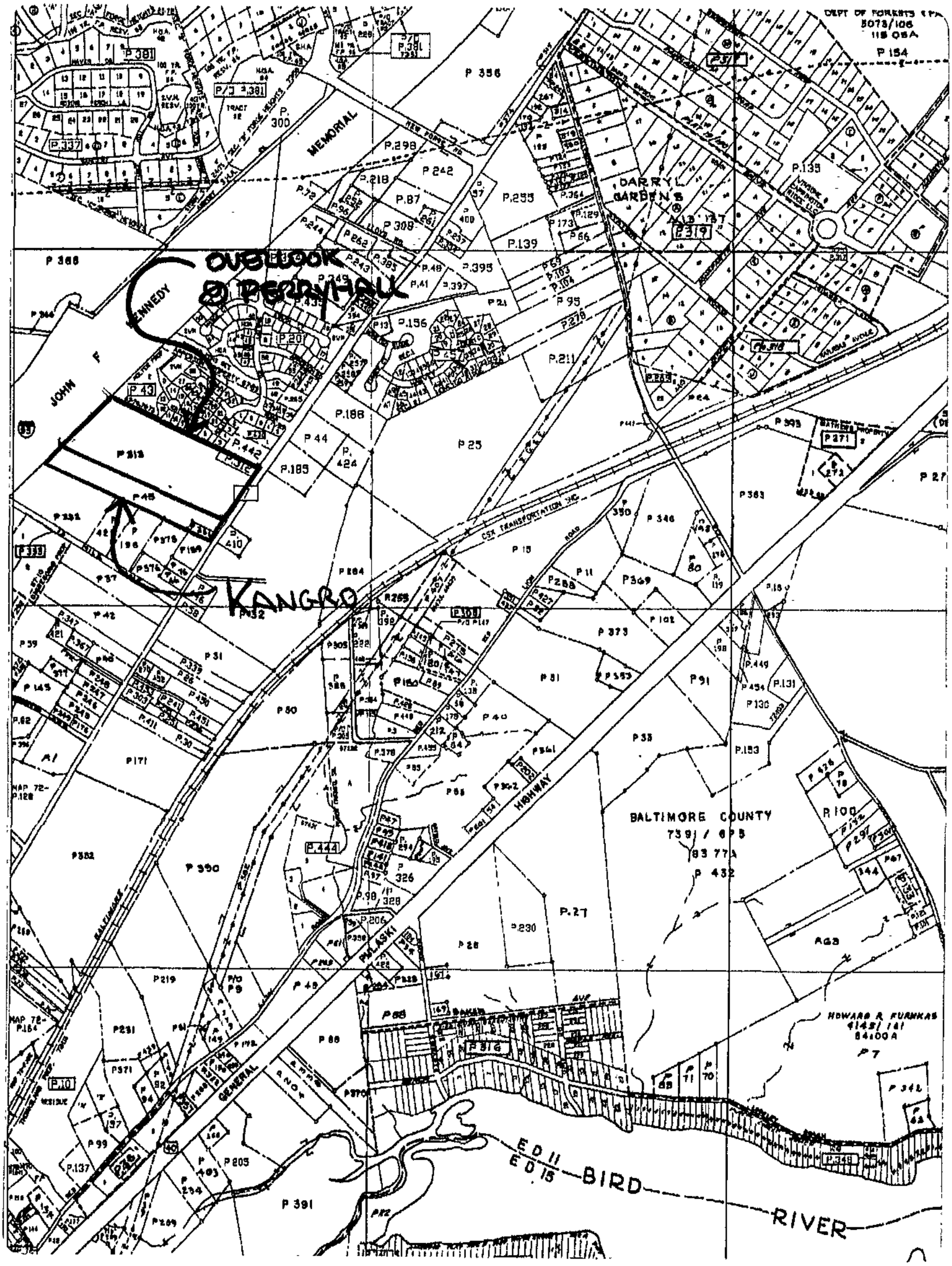
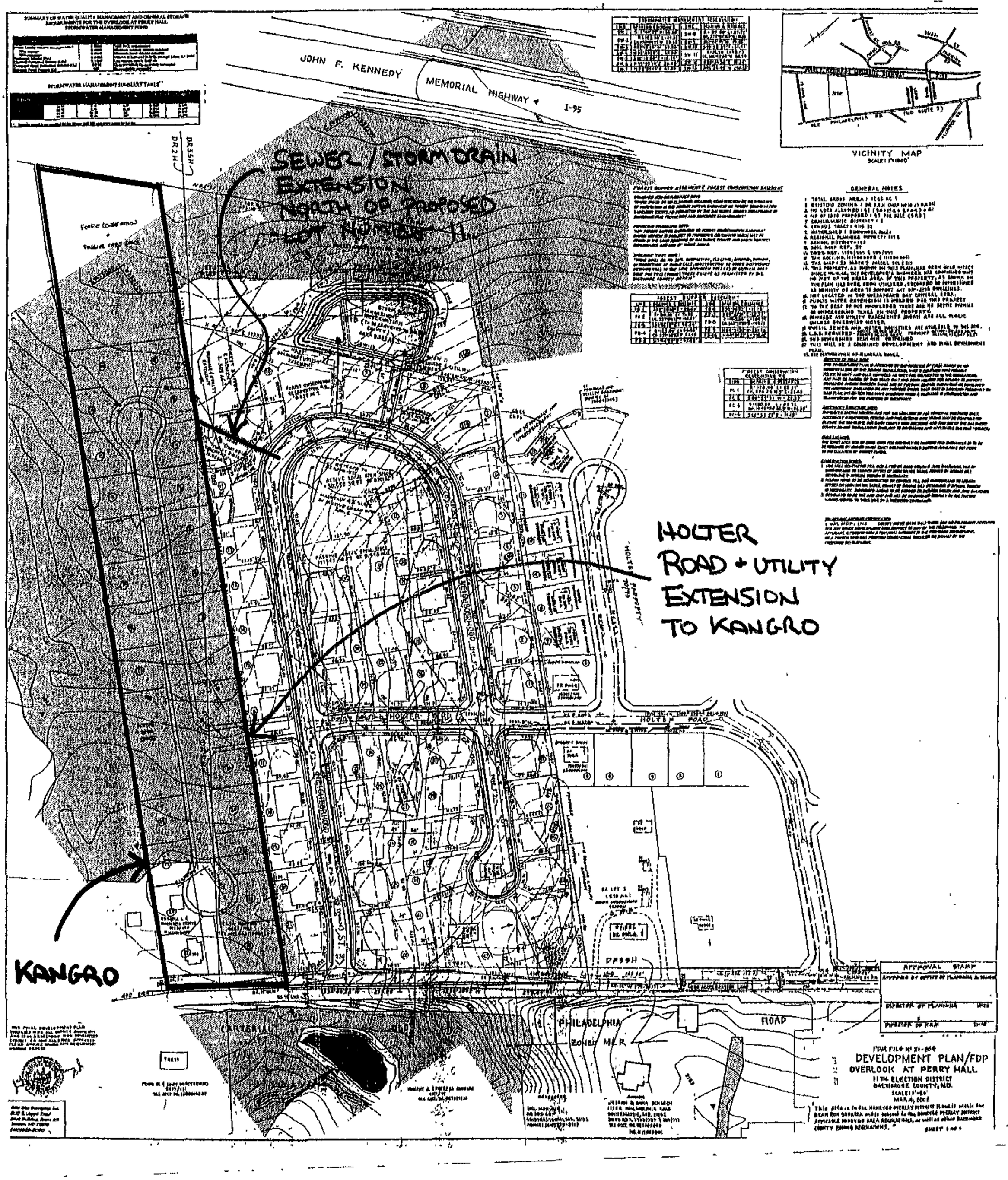


EXHIBIT II


JOHN F. KENNEDY MEMORIAL HIGHWAY I-95
SEWER / STORM DRAIN EXTENSION NORTH OF PROPOSED LOT NUMBER 11
HOLTER ROAD + UTILITY EXTENSION TO KANGRO
KANGRO
HOLTER ROAD
PHILADELPHIA ROAD
VICINITY MAP
GENERAL NOTES
FOREST CONSERVATION EASEMENT
FOREST BUFFER EASEMENT
DEVELOPMENT PLAN/FDP
OVERLOOK AT PERRY HALL
11TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.

ZONING MAP
"OVERLOOK @ PERRY H[illegible]L"

(SHEET N.E. 10-1)

N 38,000

D.R. 3.5 H

JOHN

95

D.R. 2 H

SITE

D.R. 3.5 H

HOLTER RD.

PHILADELPHIA

408'± FROM ℄ OF HOLTER ROAD

BM

MLR

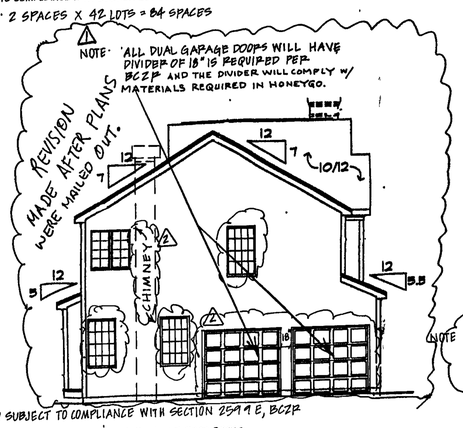
MH

SCALE	LOCATION	SHEET
1" = 200'±	LORELEY	N. E 10
DATE OF PHOTOGRAPHY JANUARY		

#518

GENERAL NOTES CONTINUED FROM SHEET 1

27 BALTIMORE COUNTY 200' SCALE ZONING MAP N.E. 10-J
28 WETLANDS, FOREST CONSERVATION WORKSHEET AND FOREST STAND DELINEATION- ECO-SCIENCE PROFESSIONALS, INC.
29 UTILITIES PUBLIC WATER AND SEWER WILL BE PROVIDED
30. USE- THE EXISTING USE IS RESIDENTIAL (ALL EXISTING STRUCTURES TO BE RAZED BY THE DEVELOPER)
THE PROPOSED USE IS RESIDENTIAL (ALL SINGLE FAMILY DWELLING UNITS FOR SALE)
31 AVERAGE DAILY TRIPS AS CALCULATED FROM THE BALTIMORE COUNTY COMPREHENSIVE MANUAL OF DEVELOPMENT POLICY SINGLE FAMILY 42 UNITS X 12.5/UNIT= 525 ADTS
32. STORMWATER MANAGEMENT STORMWATER MANAGEMENT WILL CONFORM TO BALTIMORE COUNTY STANDARDS. STORMWATER MANAGEMENT FACILITIES WILL BE OWNED AND MAINTAINED BY BALTIMORE COUNTY STORMWATER MANAGEMENT FACILITIES SHALL BE SCREENED FROM ADJACENT RESIDENTIAL PROPERTIES PRELIMINARY HYDROLOGY COMPUTATIONS HAVE BEEN PROVIDED TO DEPRM PRIOR TO THE FILING OF THE DEVELOPMENT PLAN
SLOPES FOR THE STORMWATER MANAGEMENT PONDS SHALL NOT EXCEED A RATIO OF 3:1 (BALTIMORE COUNTY ZONING REGULATIONS) VARIANCE REQUESTED
33. GRADING GRADING SHOWN IS SCHEMATIC ONLY
34 VEGETATION EXISTING VEGETATION WILL BE RETAINED IN AREAS NOT NEEDED FOR CONSTRUCTION OR GRADING
EXISTING VEGETATION CONSISTS OF WOODS, SCRUB AREAS AND LAWN.
35. 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
36. SIDEWALKS SHALL BE PROVIDED ON ALL PUBLIC ROADS
37 FUTURE SIGNS SHALL CONFORM WITH BCZR SECTION 450 AND ALL ZONING POLICIES. SIGNS ARE ALSO SUBJECT TO COMPLIANCE WITH SECTIONS 102.5 AND 259.9 D, BCZR
38 BUILDING FOOTPRINTS SHOWN ARE FOR ILLUSTRATIVE PURPOSES ONLY AND MAY NOT REPRESENT THE ACTUAL FOUNDATION PLAN
39 ACCESSORY STRUCTURES/OPEN PROJECTIONS
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) ACCESSORY STRUCTURES ARE LIMITED BY SECTION 259.9.A.3, OPEN PROJECTIONS BY SECTION 259.9.B.4.c AND e(1), (2) AND 303.1 AND FENCES BY SECTION 259.9.C.6 IN FRONT YARDS PER SECTION 259.9.G THE HONEYGO REGULATIONS CONTROL WHERE THERE IS CONFLICT WITH OTHER BALTIMORE COUNTY REGULATIONS
40 MAXIMUM BUILDING HEIGHT ALLOWED IS 50 FEET, TWO STORY HOMES ARE GENERALLY PROPOSED
41 THE CIM WAS HELD ON DECEMBER 13,2001 THE MINUTES WHICH IDENTIFY ALL CAN BE FOUND IN PDM FILE NO XI-884, ON FILE IN ROOM 123 OF THE BALTIMORE COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVENUE, TOWSON, MD 21204
42. THERE ARE NO KNOWN LIMITATIONS ESTABLISHED BY THE COURTS, COUNTY BOARDS OF APPEALS PLANNING BOARD OR ZONING COMMISSIONER OR RESTRICTIVE COVENANTS RECORDED WITH INDIVIDUALS OR GROUPS WHICH WOULD LIMIT PROPOSED DEVELOPMENT ON SITE.
43 A HYDROGEOLOGICAL REPORT AND AN ENVIRONMENTAL EFFECTS REPORT HAS BEEN FILED CONCURRENTLY WITH THIS DEVELOPMENT PLAN
44 A PRELIMINARY FOREST CONSERVATION PLAN AND WORKSHEET HAVE BEEN FILED INDEPENDENTLY OF THIS PLAN IN ACCORDANCE WITH SECTION 14-408.
45. THE PROPERTY IS LOCATED PARTIALLY IN THE BEAN RUN SUBAREA AND PARTIALLY IN THE BIRD RIVER SUBAREA. ALL HONEYGO DENSITY AND AREA STANDARDS WILL BE MET OR SUBJECT TO A PUBLIC ZONING HEARING
46 ALL PROPOSED ROADS ARE PUBLIC
ALL ROADS AND EASEMENTS 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
47 THE HONEYGO OVERLAY DESIGN GUIDELINES WERE ADOPTED BY THE COUNTY COUNCIL ON MARCH 17,1997
48. THE PROPOSED DWELLING AND DEVELOPMENT WILL BE CONSISTENT WITH THE DESIGN GUIDELINES OF THE HONEYGO OVERLAY DISTRICT DESIGN GUIDELINES MANUAL AND OTHER DESIGN MANUALS SUCH AS THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP) AND THE COUNTY LANDSCAPE MANUAL
49 REFUSE COLLECTION AND MAIL DELIVERY WILL BE BY BALTIMORE COUNTY AT CURBSIDE (FRONT)
50 THERE ARE NO RESIDENTIAL TRANSITION AREAS
51 DEVELOPER IS RESPONSIBLE FOR ENSURING THAT BALTIMORE COUNTY IS GRANTED ADEQUATE ACCESS TO ALL FOREST CONSERVATION RESERVATION AREAS
52. A LANDSCAPE PLAN MUST BE APPROVED BY BALTIMORE COUNTY PRIOR TO ISSUANCE OF A BUILDING PERMIT.
53 PARKING IS ALSO SUBJECT TO COMPLIANCE WITH SECTION 259.9.F, BCZR.
54. PARKING REQUIRED- 2 SPACES X 42 LOTS = 84 SPACES



OPEN SPACE IS ALSO SUBJECT TO COMPLIANCE WITH SECTION 259.9.E, BCZR

"All Local Open Space shall be in compliance with the Local Open Space Manual, Latest Edition."
"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 October 1, 1990

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 or
2 minor deciduous trees or
2 evergreen trees or
3 shrubs or
500 S.F. of ground cover or
20 ornamental grasses

		REQUIRED:	PROPOSED:
ADJACENT ROAD:	1 P.U./40 L.F. Min 75% major deciduous	470 LF 12 P.U.	12 P.U.
INTERIOR ROAD:	1 P.U./20 L.F. Min 75% major deciduous	4770 LF 239 P.U.	239 P.U.
SCREEN OF SIDE & REAR:	Class 'A' screen 1 P.U./15 L.F. Min 5' Ht. at maturity Min 30" Ht. at installation	1040 LF 70 P.U.	70 P.U.
STORMWATER MANAGEMENT:	If side slopes are > 4:1, class 'A' screen 1 P.U./15 L.F. Min 5' Ht. at maturity Min. 30" Ht. at installation	280 LF 19 P.U.	19 P.U.
	TOTAL:	340 P.U.	340 P.U.

SOIL LIMITATIONS

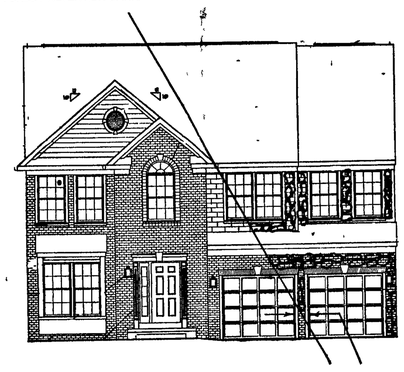
Symbol		Class	Basements	Roads
BtB	Beltsville	C	Moderate	Moderate
ChB2	CHILLUM	C	SLIGHT	MODERATE
Lt	Loen and town	D	Severe	Severe
ChC2	CHILLUM	C	SLIGHT	SEVERE
LnC2	Lenar	D	Severe	Severe

COMBINED HONEYGO/RESIDENTIAL BUILDING SETBACKS & LOT WIDTHS CHART (HONEYGO OVERLAY DISTRICT)	DR 3-H; DR 5-H; DR 10.5H & DR 16-H	DR 1-H & DR 2-H
From building face (FRONT, SIDE OR REAR) 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 (FRONT, SIDE OR REAR) 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: FRONT PROPERTY LINE (NOT A STREET LINE) Rear property line (NOT A STREET 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)	25' 30'	25' 30'
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 WIDTHS MAY NOT BE LESS THAN 20')
Front entry garage shall be recessed behind the front facade of the dwelling.	8' min.	8' MIN
SIDE BLDG FACE TO TRACT BOUNDARY	15'	25'
SIDE BLDG FACE TO SIDE BLDG FACE	(< 20') 16' OR 20' SEPARATION (720' 20'	30' SEPARATION
MINIMUM WIDTH FOR SINGLE FAMILY DETACHED LOT MEASURED ALONG BOTH THE FRONT WALL & REAR WALL OF THE DWELLING UNIT	85'	85'

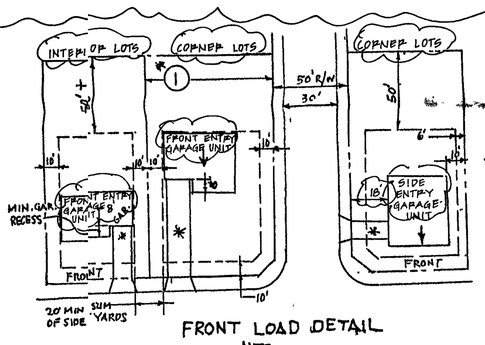
This table lists minimum setback requirements for urban residential use. For a fuller explanation of these and other requirements, consult the Comprehensive Manual of Development Policies (CMDP) and Bill 40-97 and 75-99

DEPRM RELIEF REQUEST
*STORMWATER MANAGEMENT POND SIDE SLOPES TO EXCEED 3:1 SLOPES UNDER SECTION 259.9.C.8:
2:1 SLOPES INSIDE POND IN LIEU OF 3:1 SLOPES.

FOREST CONSERVATION NOTE
*2.44 ACRES +/- OF RESTORATION WILL BE ADDRESSED THROUGH THE PURCHASE OF CREDIT FROM A DEPRM FOREST RETENTION BANK.



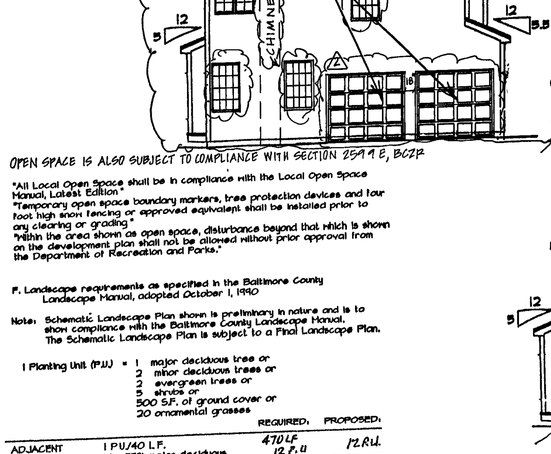
TYPICAL FRONT ELEVATION WITH TWO DOOR GARAGE (N.T.S.)
(MUST COMPLY WITH SECTION 259.9.C.4 AND C.5 APPROVED MATERIALS ARE DEFINED AS BRICK OR STONE) (ALL DUAL GARAGE DOORS WILL HAVE DIVIDER OF 18" AS REQUIRED PER B.C.Z.R. AND THE DIVIDER WILL COMPLY WITH MATERIALS REQUIRED IN HONEYGO)



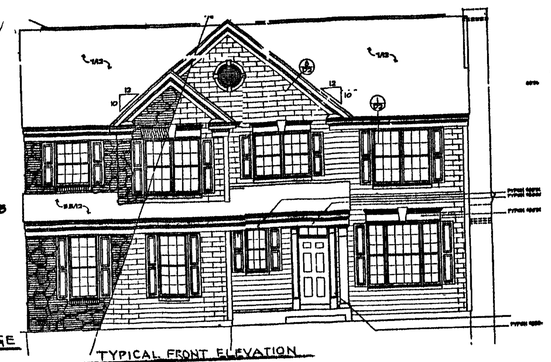
FRONT LOAD DETAIL
NTS

Typical Lot Layout (not to scale)
Note: Philadelphia Road is an Arterial Road Interior Road is Neighborhood Street.
*Per Section 409 offstreet parking for pads in front of garages to be a minimum of 18 feet long.

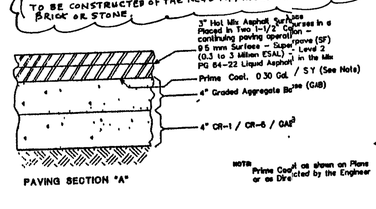
*All driveways will comply with Section 409.4 (BCZR) All parking and maneuvering areas will be paved ( ). The Developer will be responsible for paving driveways.



TYPICAL SIDE ELEVATION W/SIDE LOAD GARAGE
NTS
(MUST COMPLY WITH SECTION 259.9.C.3.a & b.) DIVIDER REQUIRED WHEN DOORS FACE PUBLIC RIGHT OF WAY TO BE CONSTRUCTED OF THE REQ'D APPROVED MATERIALS BRICK OR STONE.



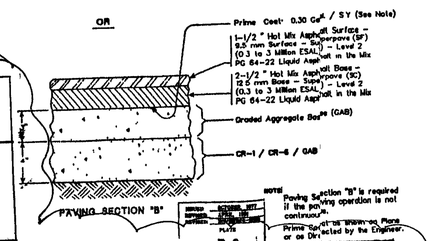
TYPICAL FRONT ELEVATION
NTS
(MUST COMPLY WITH SECTION 259.9.C.4 AND C.5 APPROVED MATERIALS ARE DEFINED AS BRICK AND SIDING.)



PAVING SECTION "A"

NOTE Prime Coat as shown on Plans or as Directed by the Engineer

OR



PAVING SECTION "B"

NOTE Paving Section "B" is required if the pavement operation is not continuous.
Prime Coat as shown on Plans or as Directed by the Engineer.

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. (See Sections 259 9.G.1 through 259.9 G.4 below) of this section.

Section 259.9.A 3 (Bill No. 73-1999)
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.

Section 259.9.B.1 (Bill No. 40-1997;73-1999)
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.

Section 259.9 B 3 (Bill No. 40-1997;73-1999)
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.

Section 259.9 B.4 (Bill No. 40-1997;73-1999)
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;
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.

Section 259.9.C.3 (Bill No. 73-1999)
a. Except for properties with approved development plans or CRG plans (vested prior to September 13,1999 in accordance with Section 103.1), which shall be allowed front entry garages in accordance with the regulations in effect prior to January 14,1995 (see 1992 CMDP), 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.
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.

Section 259.9.C 4 (Bill Nos. 40-1997; 73-1999)
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

Section 259.9.C.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.

Section 259.9.C.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.

Section 259 9 C.7
Roofs shall be pitched in accordance with the Honeygo Overlay District Design Guidelines.

Section 259 9 C.8
Stormwater management pond slopes, where management is not provided through a regional facility, shall not exceed a ratio of 3 1.

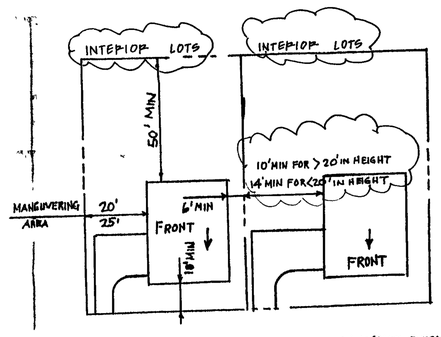
Section 259.9 C.9
Rooftop equipment shall be screened so it is not visible from the ground level of adjacent buildings.

Section 259 9 G.1
The provisions of this section (Section 259.9,BCZR) shall govern in any situation where there is a conflict between this section (Section 259.9, BCZR) and other regulations.

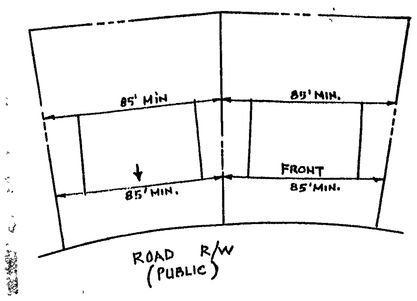
Section 259.9 G.2
Where the provisions of this section (Section 259.9,BCZR) are silent, the provisions of these regulations governing the underlying zone shall apply.

Section 259 9 G 3 (Bill No 40-1997)
In addition to the requirements of this section, residential and commercial development in the area shall be subject to the Honeygo Overlay District Design Guidelines.

Section 259 9 G 4
Notwithstanding the provisions of Section 26-216 of the Baltimore County Code, 1988 Edition, as revised, the provisions of this section (Section 259.9,BCZR) do not apply to any property with an unexpired CRG plan that was approved prior to May 18,1992.



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



Typical Building Envelope per Section 259.9.B.3
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 accordance with the diagram above.

'Envelopes or typical dwellings as shown dictate a specific location and orientation which is intended to allow compliance with the Baltimore County Zoning Regulations, the CMDP, and dwellings create conflicts with the regulations or policies, the location and orientation must be changed to alleviate the conflict". Failure to comply with the preceding may necessitate the need for variances prior to final zoning approval

IN RE. DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL VARIANCE
NW/S Old Philadelphia Road, 408' W of the c/l Holter Road (Overlook @ Perry Hall) (11324 Philadelphia Road)
11th Election District
5th Council District
Estate of Anna Schaech, Owners; Valmor, Inc., Contract Purchaser/Developer

BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case Nos XI-884 & 02-518-SPVA-H

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Zoning Commissioner for a single public hearing, pursuant to Section 26-206.1 of the Baltimore County Code (B.C.C.), which allows an Owner/Applicant to request zoning relief within the same public hearing wherein development plan approval is also requested. Pursuant to the development review regulations codified in Title 26 thereof, The Estate of Anna Schaech, property owners, and the Developer, Valmor, Inc., request approval of a red-lined development plan prepared by Site Rite Surveying, Inc. for the proposed development of the subject property with 47 single family dwellings. In addition, special variance and variance relief is requested from Sections 259.8 and 4A02.4F of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the issuance of building permits for the proposed development (prior to the completion of certain road improvements to Cross Road and Forge Roads). In addition, a series of area variances are requested from the B.C.Z.R., as follows: From Section 259.9.C.3 to allow front entry garages to be located 0 feet from the front line building face projection of the house in lieu of the required 8-foot recess for Lots 44, 45 and 46; from Section 259.9.B.4.e to permit a rear yard setback of 34 feet for Lots 1 through 10, 12 through 26, 29 through 38, and 40 through 47, and 43 feet for Lot 11, all in lieu of the required 50 feet, from Section 259.0.C.8 to permit storm water management pond slopes of 2:1 in lieu of the maximum allowed 3:1 slopes; and, from Section 259.9.B.3 to permit the lot widths shown in Table A (Attachment 1 of the Petition), measured along both the front and rear walls of the dwelling units, in lieu of the required 85 feet for each, together with a determination that Lots 21 and 22 comply with the provisions of Section 259.7B (Threshold Limits - Honeygo Area), due to the existence of a ridge line and not involving lateral offsetting, in accordance with the development plan/site plan marked as Developer's Exhibit 1A, and as said is hereby DEPICTED.

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

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

LES:bjs

"CONTINUED"
Having made this determination, that part of the Petition for Variance seeking relief from lot width and lot depth requirements shall be denied. In view thereof, the other variances that have been requested shall be dismissed as moot and the development plan shall be denied.

All that being said, residential development of this property is appropriate. This is not a case where any development of the site is inappropriate, merely this proposal Therefore, if it is desires, the Developer may resubmit a development plan to Baltimore County without starting the review process anew In that event, I would direct that an additional CIM be conducted in view of the community interest and significant anticipated changes to the plan. Thereafter, the matter would be scheduled for a DPC and ultimately, a Hearing Officer's Hearing. Moreover, I am not precluding the possibility that any variance relief associated with this project would be denied. As discussed above, a variance necessary to permit the storm water management plan as configured is appropriate, as is the special variance relating to the threshold limits and the potential extension of Cross Road and Forge Roads. Finally, in certain instances, reduced setbacks for the garages might be appropriate Moreover, even some lots of slightly insufficient width or depth might be appropriate, given the general character of the garages. I am not precluding the possibility that variance relief could be granted for these lots, however, the Developer's blanket request to variance the vast majority of lots' side yards, both sum, a width and depth standpoint, is unacceptable.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be denied and the Petition for Special Variance and Variance granted in part and dismissed in part, in accordance with the attached Order

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this 6th day of July, 2002 that the proposed development plan for Overlook at Perry Hall, identified herein as Developer's Exhibit 1A, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Special Variance seeking relief from Sections 259 8 and 4A02.4F of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the issuance of building permits for the proposed development (prior to the completion of certain road improvements to Cross Road and Forge Roads), be and is hereby DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the Petition for Special Variance seeking relief from Section 259.9.C.3 to allow front entry garages to be located 0 feet from the front line building face projection of the house in lieu of the required 8-foot recess for Lots 44, 45 and 46, and, from Section 259.9.C.8 to permit storm water management pond slopes of 2:1 in lieu of the maximum allowed 3:1 slope, in accordance with Developer's Exhibit 1A, be and is hereby DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the Petition for Special Variance seeking relief from Section 259.9.B.4.e of the B.C.Z.R. to permit a rear yard setback of 34 feet for Lots 1 through 10, 12 through 26, 29 through 38, and 40 through 47, and 43 feet for Lot 11, all in lieu of the required 50 feet, and from Section 259.9.B.3 of the B.C.Z.R. to permit the lot widths shown in Table A (Attachment 1 of the Petition), measured along both the front and rear walls of the dwelling units, in lieu of the required 85 feet for each, together with a determination that Lots 21 and 22 comply with the provisions of Section 259.7B (Threshold Limits - Honeygo Area), due to the existence of a ridge line and not involving lateral offsetting, in accordance with the development plan/site plan marked as Developer's Exhibit 1A, and as said is hereby DEPICTED.

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

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

This Development Plan is approved by the Director of P.D.M. based upon his interpretation 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 or any purpose other than that indicated presently on said Plan. Utilization will have occurred when a dwelling is constructed and transferred for purpose of occupancy.

BEFORE THE
HEARING OFFICER/
ZONING COMMISSIONER
FOR
BALTIMORE COUNTY
Case Nos. XI-884 and 02-518-SPVA-H

IN RE: DEVELOPMENT PLAN & PETITION FOR VARIANCE and SPECIAL VARIANCE
NW/S Old Philadelphia Road, W of c/l of Holter Road
Overlook at Perry Hall
11th Election District
5th Councilmanic District
Valmor, Inc., Contract Purchaser

ORDER OF REMAND

Upon consideration of the Motion for Reconsideration Remand filed by Valmor, Inc. and upon reconsideration of the July 23, 2002 Order issued in this case and in light of the intent of Valmor, Inc to submit a revised development plan eliminating previously proposed rear yard and lot width variances, it is this 6th day of August, 2002, by the Hearing Officer/Zoning Commissioner for Baltimore County,

ORDERED that the above-referenced matter is hereby remanded for further consideration at a Development Plan Conference after submission by Valmor, Inc. of the required number of copies of a revised development plan for the subject property; and it is

FURTHER ORDERED, that no additional Community Input Meeting need be held on the revised development plan but that Valmor, Inc. shall mail to all attendees of the original Hearing Officer's Hearing a copy of the revised development plan and notice of the date and time of the Development Plan Conference and subsequent Hearing Officer's Hearing.

LAWRENCE E SCHMIDT
Zoning Commissioner/Hearing Officer for Baltimore County

APPROVAL STAMP
APPROVED BY OFFICE OF PLANNING & ZONING
DIRECTOR OF PLANNING DATE
DIRECTOR OF P.D.M. DATE

REDLINE DP/PDP 10/8/02
PLAT TO ACCOMPANY PETITION FOR SPECIAL VARIANCES AND VARIANCES
&
DEVELOPMENT PLAN/F.D.P.
PDM FILE NO. XI-884
"OVERLOOK AT PERRY HALL"
ELECTION DISTRICT NO. 11
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50'
MARCH 5,2002
SHEET 2 OF 2
REVISED AUG. 28, 2002
REVISED JULY 29, 2002
REVISED JULY 3, 2002
REVISED JUNE 13, 2002.

LEGEND

EXISTING: TRACT BOUNDARY; ZONING LINE; EASEMENT; INDEX CONTOUR; INTER. CONTOUR; SOILS; TREES; WETLANDS; FIRE HYDRANT; LIGHT; UTILITY POLE; WETLANDS; ROAD

PROPOSED: FOREST BUFFER EASEMENT; INDEX CONTOUR; INTER. CONTOUR; ADT; FIRE HYDRANT; SANITARY SEWER; STORM DRAIN; WATER; LIGHT

NOTE: REQUEST VARIANCE TO CROSS SUBAREA LINE FROM BIRD RIVER SUBAREA INTO BEAN RUN SUBAREA FOR LOTS 37 AND 42 (PREVIOUSLY LOTS 21 & 22)

"THIS SITE IS LOCATED WITHIN THE HONEYGO OVERLAY DISTRICT H AND IS PARTIALLY LOCATED WITHIN THE BEAN RUN SUBAREA AND PARTIALLY LOCATED WITHIN THE BIRD RIVER SUBAREA. THE SITE IS SUBJECT TO THE APPLICABLE HONEYGO DEVELOPMENT STANDARDS, THE HONEYGO OVERLAY DISTRICT DESIGN GUIDELINES, THE RESIDENTIAL PERFORMANCE STANDARDS, AS WELL AS OTHER BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES, PURSUANT TO SECTION 259, 259.9.G.3 AND SECTION 260, BCZR. THE SITE MUST COMPLY WITH ALL OF THE AFOREMENTIONED STANDARDS AND GUIDELINES."

This Final Development Plan complies with all County comments and is in agreement with Developer's Exhibit 1A and all other approved plans and/or zoning and development hearing orders.

STATE OF MARYLAND KATHLEEN DOWNES No. 11481 REGISTERED PROFESSIONAL ENGINEER I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DEVELOPER:
VAL MOR, INC.
P.O. BOX 68
REISTERSTOWN, MD 21136
(443)415-8688

OWNER:
JOSEPH AND ANNA SCHAECH
11324 PHILADELPHIA ROAD
WHITE MARSH, MD 21162
DEED REF.: 1720/327 & 659/577
TAX ACCT. NO. 1119008800
1119008801

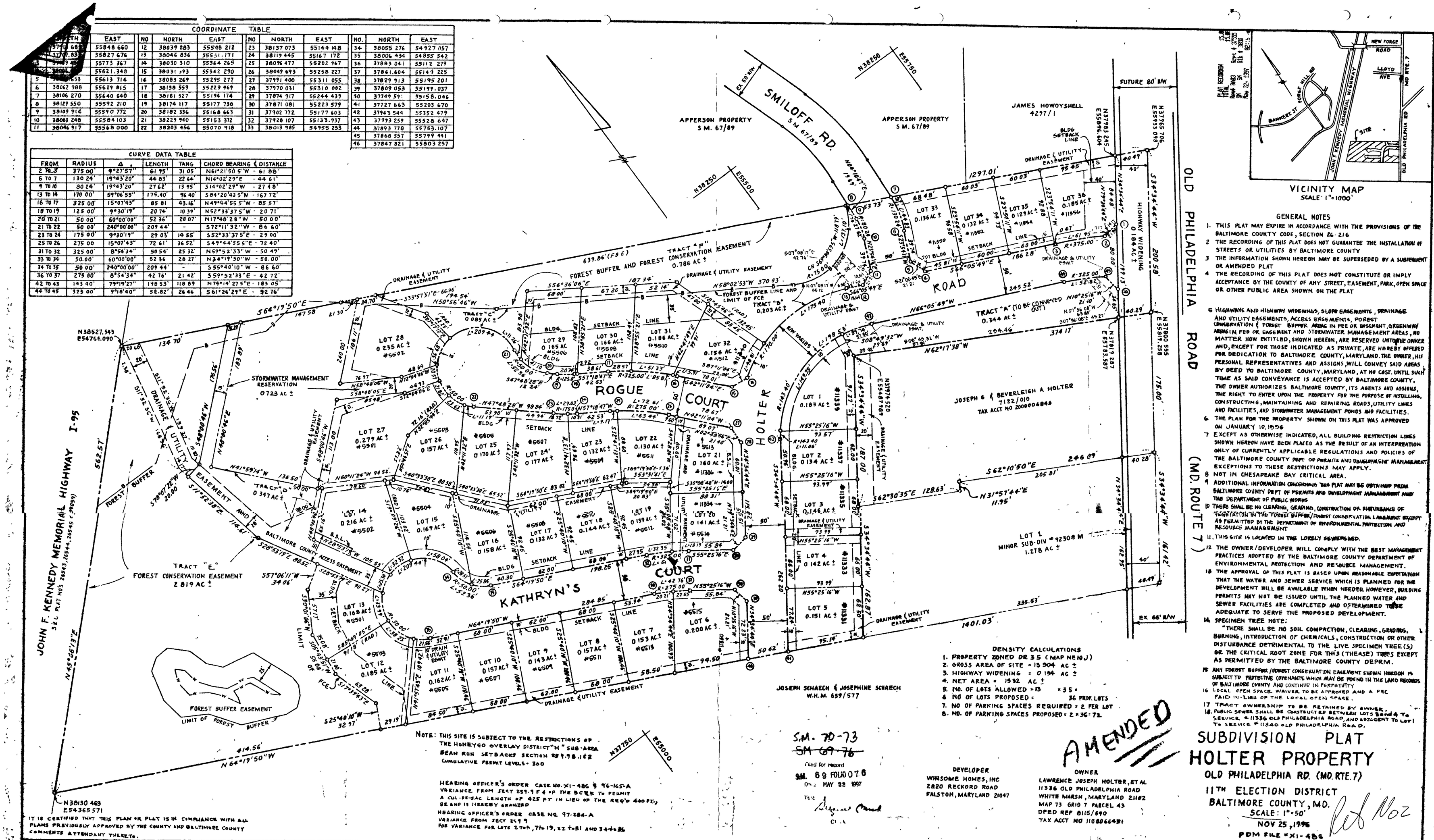
OLD PHILADELPHIA ROAD (MD. ROUTE 7)

COORDINATE TABLE

NO	NORTH	EAST
1	37911 681	55848 660
2	37907.83	55827 676
3	37909	55773 367
4	37886	55621.348
5	37886.53	55613 714
6	38062 988	55629 815
7	38106 270	55640 640
8	38129 550	55592 210
9	38109 914	55559 772
10	38083 248	55584 103
11	38046 917	55568 000
12	38039 283	55548 212
13	38046 836	55531.171
14	38030 310	55364 265
15	38031 993	55342 290
16	38083 269	55295 277
17	38138 559	55229 969
18	38161 527	55196 174
19	38174 117	55177 730
20	38182 336	55168 663
21	38229 940	55153 372
22	38203 456	55070 918
23	38137 073	55144 148
24	38119 445	55167 172
25	38096 477	55202 967
26	38049 693	55258 227
27	37991 400	55311 055
28	37970 031	55310 082
29	37874 917	55244 439
30	37871 081	55223 579
31	37902 772	55177 603
32	37928 107	55133.937
33	38013 985	54955 253
34	38055 276	54927 057
35	38006 434	54855 562
36	37883 041	55112 279
37	37861.604	55149 225
38	37829 913	55195 201
39	37809 053	55199.037
40	37749 59:	55158.046
41	37727 663	55203 670
42	37943 544	55352 479
43	37993 259	55528 647
44	37893 778	55753.107
45	37868 557	55799 441
46	37847 821	55803 257

CURVE DATA TABLE

FROM	RADIUS	Δ	LENGTH	TANG	CHORD BEARING & DISTANCE
2 TO 3	375.00'	9°27'57"	61.95'	31.05'	N61°21'50.5"W - 61.88'
6 TO 7	130.24'	19°43'20"	44.83'	22.64'	N14°02'29"E - 44.61'
9 TO 10	80.24'	19°43'20"	27.62'	13.95'	S14°02'29"W - 27.48'
13 TO 14	170.00'	59°06'55"	175.40'	96.40'	S84°20'43.5"W - 167.72'
16 TO 17	325.00'	15°07'43"	85.81'	43.16'	N49°44'55.5"W - 85.57'
18 TO 19	125.00'	9°30'19"	20.74'	10.39'	N52°33'37.5"W - 20.71'
20 TO 21	50.00'	60°00'00"	52.36'	28.87'	N17°48'28"W - 50.00'
21 TO 22	50.00'	240°00'00"	209.44'	-	S72°11'32"W - 86.60'
23 TO 24	175.00'	9°30'19"	29.03'	14.55'	S52°33'37.5"E - 29.00'
25 TO 26	275.00	15°07'43"	72.61'	36.52'	S49°44'55.5"E - 72.40'
31 TO 32	325.00'	8°54'34"	50.54'	25.32'	N59°52'33"W - 50.49'
33 TO 34	50.00'	60°00'00"	52.36	28.27'	N34°19'50"W - 50.00'
34 TO 35	50.00'	240°00'00"	209.44'	-	S55°40'10"W - 86.60'
36 TO 37	275.00'	8°54'34"	42.76'	21.42'	S59°52'33"E - 42.72'
42 TO 43	143.40'	79°19'27"	198.53'	118.89'	N74°14'27.5"E - 183.05'
44 TO 45	325.00'	9°18'40"	52.82'	26.46'	S61°24'27"E - 52.76'



VICINITY MAP

SCALE: 1"=1000'

GENERAL NOTES

1. THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 26-216
2. THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY
3. THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT
4. THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THE PLAT
5. HIGHWAYS AND HIGHWAY WIDENINGS, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, ACCESS EASEMENTS, FOREST CONSERVATION & FOREST BUFFER AREAS IN FEE OR EASEMENT, GREENWAY AREAS IN FEE OR EASEMENT AND STORMWATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED UNTO THE OWNER AND, EXCEPT FOR THOSE INDICATED AS PRIVATE, ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE OWNER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS, WILL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND, AT NO COST, UNTIL SUCH TIME AS SAID CONVEYANCE IS ACCEPTED BY BALTIMORE COUNTY, THE OWNER AUTHORIZES BALTIMORE COUNTY, ITS AGENTS AND ASSIGNS, THE RIGHT TO ENTER UPON THE PROPERTY FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING AND REPAIRING ROADS, UTILITY LINES AND FACILITIES, AND STORMWATER MANAGEMENT PONDS AND FACILITIES.
6. THE PLAN FOR THE PROPERTY SHOWN ON THIS PLAT WAS APPROVED ON JANUARY 10, 1996
7. EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT. EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY.
8. NOT IN CHESAPEAKE BAY CRITICAL AREA.
9. ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM BALTIMORE COUNTY DEPT OF PERMITS AND DEVELOPMENT MANAGEMENT AND THE DEPARTMENT OF PUBLIC WORKS
10. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE "FOREST BUFFER/FOREST CONSERVATION EASEMENT AREAS EXCEPT AS PERMITTED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCES MANAGEMENT
11. THIS SITE IS LOCATED IN THE LORSLY SEWERSHED.
12. THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
13. THE APPROVAL OF THIS PLAT IS BASED UPON REASONABLE EXPECTATION THAT THE WATER AND SEWER SERVICE WHICH IS PLANNED FOR THE DEVELOPMENT WILL BE AVAILABLE WHEN NEEDED. HOWEVER, BUILDING PERMITS MAY NOT BE ISSUED UNTIL THE PLANNED WATER AND SEWER FACILITIES ARE COMPLETED AND DETERMINED TO BE ADEQUATE TO SERVE THE PROPOSED DEVELOPMENT.
14. SPECIMEN TREE NOTE:
"THERE SHALL BE NO SOIL COMPACTION, CLEARING, GRADING, BURNING, INTRODUCTION OF CHEMICALS, CONSTRUCTION OR OTHER DISTURBANCE DETRIMENTAL TO THE LIVE SPECIMEN TREE(S) OR THE CRITICAL ROOT ZONE FOR THIS (THESE) TREES EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPRM.
15. ANY FOREST BUFFER/FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND CONTINUE IN PERPETUITY
16. LOCAL OPEN SPACE WAIVER TO BE APPROVED AND A FEE PAID IN-LIEU OF THE LOCAL OPEN SPACE.
17. TRACT OWNERSHIP TO BE RETAINED BY OWNER.
18. PUBLIC SEWER SHALL BE CONSTRUCTED BETWEEN LOTS 3 & 4 TO SERVICE #11336 OLD PHILADELPHIA ROAD, AND ADJACENT TO LOT 1 TO SERVICE #11340 OLD PHILADELPHIA ROAD.

DENSITY CALCULATIONS

1. PROPERTY ZONED DR 3.5 (MAP NE 10 J)
2. GROSS AREA OF SITE = 15.904 AC ±
3. HIGHWAY WIDENING = 0.194 AC ±
4. NET AREA = 15.92 AC ±
5. NO. OF LOTS ALLOWED = 15 ×3.5 =
6. NO OF LOTS PROPOSED = 36 PROP. LOTS
7. NO OF PARKING SPACES REQUIRED = 2 PER LOT
8. NO. OF PARKING SPACES PROPOSED = 2×36 = 72

NOTE: THIS SITE IS SUBJECT TO THE RESTRICTIONS OF THE HONEYGO OVERLAY DISTRICT "H" SUB-AREA BEAN RUN SETBACKS SECTION 259.8.E.2 CUMULATIVE PERMIT LEVELS = 300

HEARING OFFICER'S ORDER CASE NO. X-1-486 & 96-165-A VARIANCE FROM SECT 259.9 F 4 OF THE BCZR TO PERMIT A CUL-DE-SAC LENGTH OF 425 FT IN LIEU OF THE REQ'D 400 FT., BE AND IS HEREBY GRANTED
HEARING OFFICER'S ORDER CASE NO. 97-284-A VARIANCE FROM SECT 259.9 FOR VARIANCE FOR LOTS 2 TO 4, 7 TO 19, 32 TO 31 AND 34 TO 36

IT IS CERTIFIED THAT THIS PLAN OR PLAT IS IN COMPLIANCE WITH ALL PLANS PREVIOUSLY APPROVED BY THE COUNTY AND BALTIMORE COUNTY COMMENTS ATTENDANT THERETO.

DEVELOPER
WINSOME HOMES, INC
2820 RECKORD ROAD
FALSTON, MARYLAND 21047

OWNER
LAWRENCE JOSEPH HOLTER, ET AL
11336 OLD PHILADELPHIA ROAD
WHITE MARSH, MARYLAND 21162
MAP 73 GRID 7 PARCEL 43
OPED REF 8115/690
TAX ACCT NO 1108066491

SUBDIVISION PLAT
HOLTER PROPERTY
OLD PHILADELPHIA RD. (MD. RTE. 7)

11TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.
SCALE: 1"=50'
NOV 25, 1996
PDM FILE #X1-486

NOTE
COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE FOLLOWING TRAVERSE STATIONS:

2 8592	N37881.18	E 56748 67
10765	N37408.08	E 56640.89

NOTE
THE STREETS AND OR ROADS AS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE. THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS

OWNER'S CERTIFICATE

THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT HEREBY CERTIFIES THAT, TO THE BEST OF ITS KNOWLEDGE, THE REQUIREMENT OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED, INSOFAR AS THE SAME CONCERNS THE MAKING OF THIS PLAT AND THE SETTING OF THE MARKERS

Joseph G. Holter — Vincent J. Holter
JOSEPH G. HOLTER — VINCENT J. HOLTER (DECEASED)
Lawrence Joseph Holter — Mary Holter Dreschuk
LAWRENCE JOSEPH HOLTER — MARY HOLTER DRESCHUK
11-6-96
DATE

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT, AND THE PLAT THEREOF HAS BEEN PREPARED, IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARY INSOFAR AS SAME CONCERNS THE MAKING OF THE PLAT AND SETTING OF THE MARKERS.

REG NO. 11141 — 11-5-96 DATE

APPROVED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
DIRECTOR — 1-31-97 DATE

APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT PURSUANT TO SECTION 26-215 (C), BALTIMORE COUNTY CODE
3-18-97 DATE — DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT

M&H DEVELOPMENT ENGINEERS, INC. (410) 828-9060
200 EAST JOPPA ROAD TOWSON, MD. 21286

P.W.A. COMPLETED 119701 — COMPUTED BY:
FINAL PLAT CHECKED — CHECKED BY:
PLANNING — DRAWN BY:
ENGINEERING — JOB NO.
HOUSE NOS.
REC. & PARKS (IF APP.)

SUMMARY OF WATER QUALITY MANAGEMENT AND GENERAL STORAGE REQUIREMENTS FOR THE OVERLOOK AT PERRY HALL STORMWATER MANAGEMENT POND

Water Quality Volume	0.2855	Total WQv requirement
WQv (forebay)	0.0855	Minimum forebay volume required
WQv (pond)	0.2855	Minimum pond volume required
Recharge Volume (Rev)	0.0454	Volume is included in WQv storage within the pond
Channel Protection Volume (Cpv)	0.7157	Cpv release rate is 0.49cfs
Overbank Flood Protection Volume (Qp)	6.272	Qp provided; Qpost safely conveyed
Extreme Flood Volume (Qf)	N/A	[illegible]

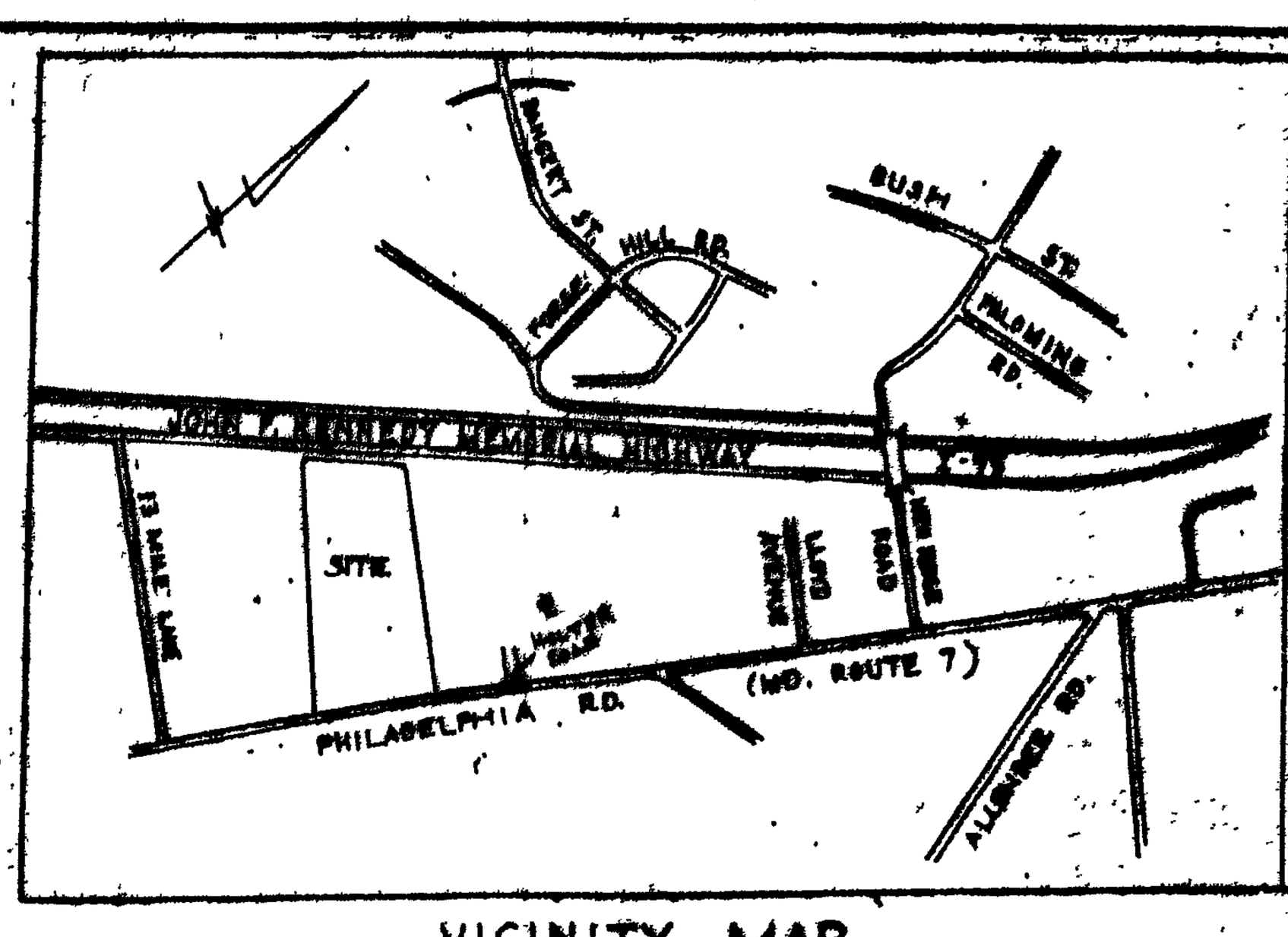
STORMWATER MANAGEMENT SUMMARY TABLE

[illegible]	14.64	6.14	5.97	0.1587	5,460
	28.74	8.79	18.58	0.2717	11,585
	41.46	32.59	NA*	0.5644	25,242
	54.29	57.94	NA*	0.7055	34,360

* Quantity control is not required for the 10-year and 100-year storm events for this site.

STORMWATER MANAGEMENT RESERVATION

LINE	BEARING & DISTANCE	LINE	BEARING & DISTANCE
SW-1	N17°44'39"W-44.60'	SW-8	R=57.00' L=87.72' CH.S77°[illegible]E-78.06'
SW-2	R=123.00' L=64.35' CH.N32°05'55"W-63.66'	SW-9	S17°24'37"W-19.65'
SW-3	N02°10'10"W-89.80'	SW-10	[illegible]E-51.47'
SW-4	N33°45'10"E-64.50'	SW-11	R=26.50' L=43.07' CH.S06°42'33"W-38.56'
SW-5	S86°14'50"E-10.37'		
SW-6	N35°45'10"E-53.00'	SW-12	[illegible]E-18.24'
SW-7	N88°38'12"E-43.60'	SW-13	S46°56'49"W-230.38'



VICINITY MAP
SCALE: 1"=1000'

GENERAL NOTES

1. GROSS AREA: PAR. 312 = 1.00 AC.± , PAR. 313 = 16.26 AC.± TOTAL GROSS AREA = 17.26 AC.± HIGHWAY WIDENING = 0.419 AC.± NET AREA = 16.841 AC.±
2. EXISTING ZONING : DR 3.5 H (MAP NE 10 J) DR 2-H
3. NO OF LOTS ALLOWED : 60 UNITS FOR DR 3.5 H , 0 UNITS FOR DR 2-H , TOTAL 60 UNITS. NO DENSITY IS AVAILABLE TO THE DR 2-H PORTION OF THE DEVELOPMENT TRACT AND THIS PORTION SHALL REMAIN NON-BUILDABLE.
4. NO. OF LOTS PROPOSED : 42 , ALL LOTS FOR SALE (S.F.D.)
5. COUNCILMANIC DISTRICT : 5
6. CENSUS TRACT : 4113.02
7. WATERSHED : GUNPOWDER FALLS
8. REGIONAL PLANNING DISTRICT : 317 B
9. SCHOOL DISTRICT - 143
10. SOIL MAP REF. 37
11. DEED REF. 1720/327 & 697/577
12. TAX ACCT. NO. 1117005860 & 1117005861
13. TAX MAP 1.73 BLOCK 7 PARCEL 312 & 313
14. THIS PROPERTY, AS SHOWN ON THIS PLAN, HAS BEEN HELD INTACT SINCE NC.10.48. 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 OF AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
15. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
16. PUBLIC WATER EXTENSION IS NEEDED FOR THIS PROJECT.
17. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO UNDERGROUND TANKS ON THIS PROPERTY.
18. DRAINAGE AND UTILITY EASEMENTS SHOWN ARE ALL PUBLIC UNLESS OTHERWISE NOTED.
19. PUBLIC SEWER AND WATER FACILITIES ARE AVAILABLE TO THIS SITE.
20. LOS REQUIRED FOR 42 UNITS IS 42,000 S.F. OR 0.96 AC.± OPEN SPACE REQUIRED = 27,[illegible] S.F. ACTIVE AND 14,760 S.F. PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION III.D.3. OPEN SPACE PROVIDED = [illegible] S.F. ACTIVE AND [illegible] S.F. PASSIVE 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. THE DESIGN, CONSTRUCTION AND INSTALLATION OF ALL AMENITIES SHOWN ON THE DEVELOPMENT PLAN SHALL BE THE RESPONSIBILITY OF THE DEVELOPER.
21. SUB SEWERSHED - BEAN RUN WATERSHED & BIRD RIVER WATERSHED
22. THIS WILL BE A COMBINED DEVELOPMENT AND FINAL DEVELOPMENT PLAN.
23. NOT LOCATED IN A "HISTORIC" DISTRICT.
24. NO FLOODPLAIN AREAS.
25. NO PRIOR ZONING HISTORY.
26. NOT LOCATED IN DEFICIENT AREA OF BASIC SERVICE MAP.
27. SEE ORDER OF REMAND Second sheet ~~HEARING OFFICER HEARING FOR DEV PLAN/FDP & VARIANCES JULY 11, 2002.~~
28. SEPTIC SYSTEM/DRAINFIELDS FOR THE EXISTING DWELLING WILL BE ABANDONED AT TIME OF CONNECTION TO PUBLIC SEWER SYSTEM
29. THE EXISTING DWELLING WILL BE SUPPLIED WITH A TEMPORARY CONNECTION TO PUBLIC WATER IN PHILADELPHIA ROAD AND WELL ABANDONED.

FOREST BUFFER EASEMENT & FOREST CONSERVATION EASEMENT

STANDARD NON-DISTURBANCE NOTE:
"THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT."

PROTECTIVE COVENANTS NOTE:
"ANY FOREST BUFFER EASEMENT 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.

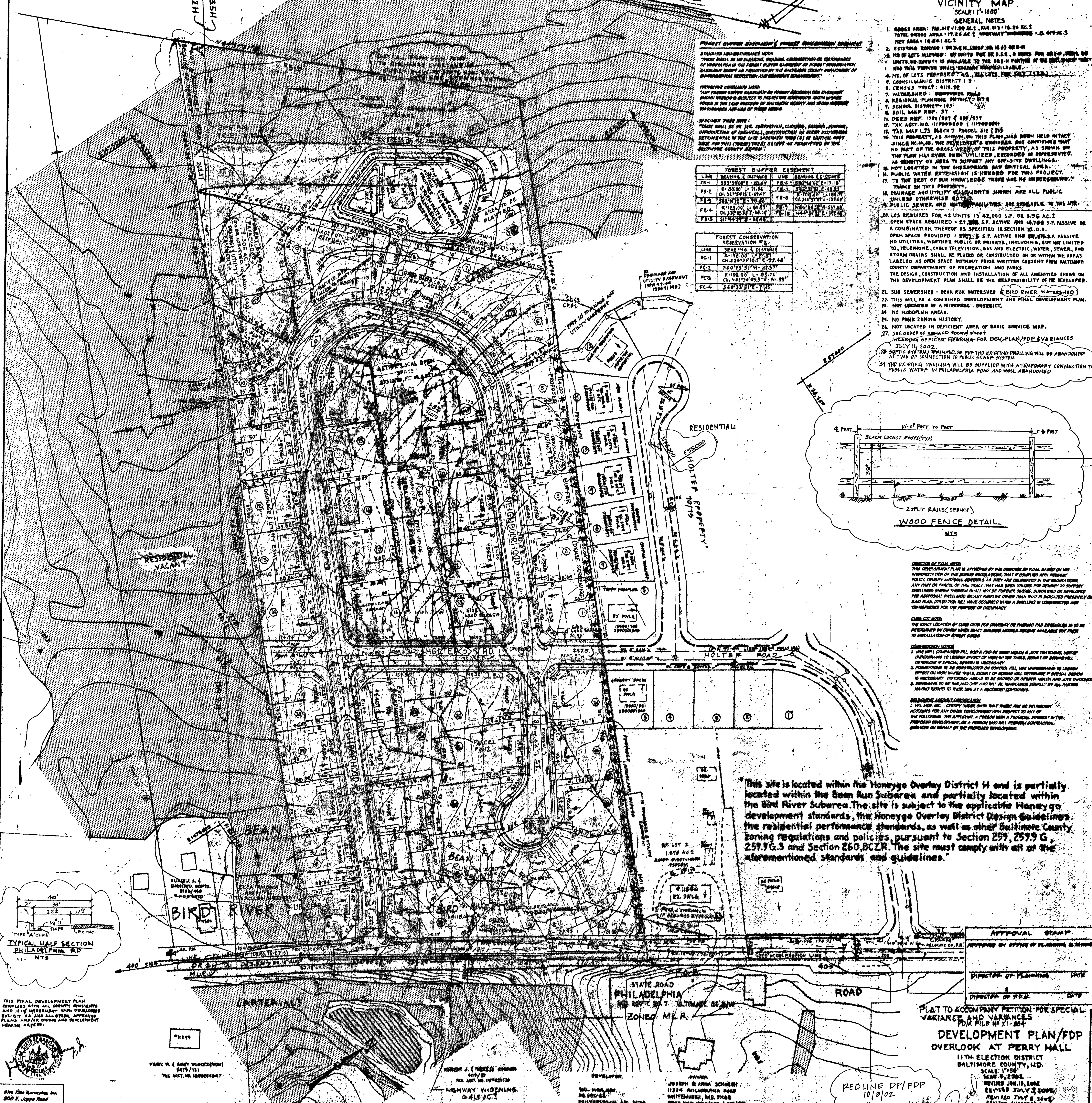
SPECIMEN TREE NOTE:
"THERE SHALL BE NO SOIL COMPACTION, CLEARING, GRADING, BURNING, INTRODUCTION OF CHEMICALS, CONSTRUCTION OR OTHER DISTURBANCE DETRIMENTAL TO THE LIVE SPECIMEN TREE(S) OR CRITICAL ROOT ZONE FOR THIS (THESE) TREE(S) EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPRM."

FOREST BUFFER EASEMENT

LINE	BEARING & DISTANCE	LINE	BEARING & DISTANCE
FB-1	S53°38'00"E-20.67'	FB-6	S30°46'02"E-17.18'
FB-2	R=50.00' L=71.86' CH.S27°54'12"E-69.47'	FB-7	S62°38'51"E-63.53'
FB-3	S82°10'10"E-90.80'	FB-8	R=100.00' L=184.[illegible] CH.S13°37'27"E-159.60'
FB-4	R=123.00' L=64.53' CH.S32°05'55"E-68.60'	FB-9	N64°34'32"W-537.08'
FB-5	S17°44'29"E-[illegible]	FB-10	N44°31'31"E-[illegible]

FOREST CONSERVATION RESERVATION #2

LINE	BEARING & DISTANCE
FC-1	R=128.00' L=22.51' CH.S24°34'10.5"E-22.48'
FC-2	S60°23'31"W-22.57'
FC-3	R=100.00' L=83.76' CH.N41°34'05.5"W-81.33'
FC-4	S66°33'51"E-71.15'



DIRECTOR OF P.D.M. NOTE:
THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF P.D.M. BASED ON HIS INTERPRETATION 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 OR ANY PURPOSE OTHER THAN THAT IS INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.

CURB CUT NOTE:
THE EXACT LOCATION OF 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.

CONSTRUCTION NOTES:
1. *USE WELL COMPACTED FILL, SOD & PEG OR SEED MULCH & JUTE THATCHING, USE OF UNDERDRAINS TO LESSEN EFFECT OF HIGH WATER TABLE. RESULT OF BORING WILL DETERMINE IF SPECIAL DESIGN IS NECESSARY*
2. *FOUNDATIONS TO BE CONSTRUCTED ON CONTROL FILL, USE UNDERDRAINS TO LESSEN EFFECT ON HIGH WATER TABLE, RESULT OF BORING WILL DETERMINE IF SPECIAL DESIGN IS NECESSARY. DISTURBED AREAS TO BE SODDED OR SEEDED, MULCH AND JUTE THATCHED.*
3. *DRIVEWAYS TO BE TAR AND CHIP AND WILL BE MAINTAINED EQUALLY BY ALL PARTIES HAVING RIGHTS TO THEIR USE BY A RECORDED COVENANTS.*

DELINQUENT ACCOUNT CERTIFICATION:
I, VAL-MOR, INC. , CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

"This site is located within the Honeygo Overlay District H and is partially located within the Bean Run Subarea and partially located within the Bird River Subarea. The site is subject to the applicable Honeygo development standards, the Honeygo Overlay District Design Guidelines the residential performance standards, as well as other Baltimore County zoning regulations and policies, pursuant to Section 259, 259.9 G, 259.9G.3 and Section 260, BCZR. The site must comply with all of the aforementioned standards and guidelines."

THIS FINAL DEVELOPMENT PLAN COMPLIES WITH ALL COUNTY COMMENTS AND IS IN AGREEMENT WITH DEVELOPERS EXHIBIT 4A AND ALL OTHER APPROVED PLANS AND/OR ZONING AND DEVELOPMENT HEARING ORDERS.

Site Rite Surveying, Inc.
200 E. Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410)828-9060

DEVELOPER,
VAL-MOR, INC.
P.O. BOX 64
REISTERSTOWN, MD. 21136
PHONE: [illegible]

OWNER,
JOSEPH & ANNA SCHAECH
11324 PHILADELPHIA ROAD
WHITEMARSH, MD. 21162
DEED REF. 1720/327 & 697/577
TAX ACCT. NO. 1117005860
NO. 1117005861

APPROVAL STAMP
APPROVED BY OFFICE OF PLANNING & ZONING
DIRECTOR OF PLANNING DATE
DIRECTOR OF P.D.M. DATE

PLAT TO ACCOMPANY PETITION FOR SPECIAL VARIANCE AND VARIANCES
PDM FILE Nº XI-864

DEVELOPMENT PLAN/FDP
OVERLOOK AT PERRY HALL
11TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.
SCALE: 1"=50'
MAR. 4, 2002
REVISED JUN. 13, 2002
REVISED JULY 3, 2002
REVISED JULY 5, 2002
REVISED AUGUST 28, 2002

REDLINE DP/FDP 10/8/02

Pet'rs Ex. No 3

SHEET 1 OF 2

SUMMARY OF WATER QUALITY MANAGEMENT AND GENERAL STORAGE REQUIREMENTS FOR THE OVERLOOK AT PERRY HALL STORMWATER MANAGEMENT POND

Storm	Volume (Ac.-Ft.)	Remarks
Water Quality Volume (WQ_v (Natural Area) = 0.2 WQ_v (Impervious))	0.2958	Total WQ_v requirement
WQ_v (Impervious)	0.0355	Minimum forebay volume required
WQ_v (Pond rec'd)	0.2803	Minimum pond volume required
Recharge Volume (Re_v)	0.0484	Volume is included in WQ_v storage within the pond
Channel Protection Volume (Cp_v)	0.7195	Cp_v release rate is 0.46 cfs
Overbank Flood Protection Volume (Q_p)	0.272	Q_{p10} prevaled, Q_{p100} safely conveyed
Extreme Flood Volume (Q_f)	N/A	Qf safely conveyed

STORMWATER MANAGEMENT SUMMARY TABLE

Storm	Pre-Developed (cfs)	Post-Developed (cfs)	Required Storage (Ac.-Ft.)	Provided Storage (Ac.-Ft.)
2 yr	14.54	6.14	5.97	0.1937	6.439
10 yr	20.76	9.73	10.38	0.2717	11.635
100 yr	41.48	22.88	NA*	0.8244	22.842
200 yr	64.23	37.84	NA*	0.7886	34.388

* Quantity control is not required for the 10-year and 100-year storm events for the site.

STORMWATER MANAGEMENT RESERVATION

LINE	BEARING & DISTANCE	LINE	BEARING & DISTANCE
SW-1	N17°44'29"W-44.00'	SW-8	R=57.00' L=87.22' CH. S77°39'36.5"E-78.96'
SW-2	R=123.00' L=64.33' CH.N32°05'55"W-63.60'	SW-9	S17°24'39"W-19.65'
SW-3	N02°10'10"W-69.50'	SW-10	S39°52'37"E-51.47'
SW-4	N33°45'10"E-64.50'	SW-11	R=26.50' L=43.09' CH. S06°42'35"W-38.50'
SW-5	S86°14'50"E-10.39'	SW-12	S23°26'38"E-16.24'
SW-6	N33°45'10"E-53.00'	SW-13	S46°56'49"W-230.35'
SW-7	N56°35'12"E-43.00'		

FOREST BUFFER EASEMENT

LINE	BEARING & DISTANCE	LINE	BEARING & DISTANCE
FB-1	S53°38'08"E-20.49'	FB-6	S30°44'02"E-17.18'
FB-2	R=80.00' L=71.86' CH. S27°54'12"E-69.47'	FB-7	S66°33'51"E-68.53'
FB-3	S02°10'10"E-90.50'	FB-8	R=100.00' L=194.79' CH. S13°57'29"E-159.60'
FB-4	R=123.00' L=64.33' CH.S32°05'55"E-63.60'	FB-9	N64°34'32"W-337.68'
FB-5	S17°44'29"E-82.48'	FB-10	N44°51'31"E-373.45'

FOREST CONSERVATION RESERVATION #2

LINE	BEARING & DISTANCE
FC-1	R=128.00' L=22.51' CH.S24°34'10.5"E-22.48'
FC-2	S60°23'31"W-22.57'
FC-3	R=100.00' L=83.76' CH. N42°34'05.5"W-81.33'
FC-4	S66°33'51"E-71.15'

FOREST CONSERVATION RESERVATION 0.830 AC ±
1.909 AC. ±
TOTAL 2.739 AC. ±

VICINITY MAP
SCALE: 1"=1000'

GENERAL NOTES

1. GROSS AREA: PAR.312 = 1.00 AC.±, PAR. 313 = 16.26 AC.±
TOTAL GROSS AREA = 17.26 AC.± HIGHWAY WIDENING = 0.419 AC.±
NET AREA = 16.841 AC.±
2. EXISTING ZONING: DR 3.5 H (MAP NE 10 J) DR 2-H
3. NO. OF LOTS ALLOWED: 60 UNITS FOR DR 3.5 H, 0 UNITS FOR DR 2-H, TOTAL 60
4. UNITS. NO DENSITY IS AVAILABLE TO THE DR 2-H PORTION OF THE DEVELOPMENT TRACT AND THIS PORTION SHALL REMAIN NON-BUILDABLE.
44 4. NO. OF LOTS PROPOSED: ~~74~~ ALL LOTS FOR SALE (S.F.D.)
5. COUNCILMANIC DISTRICT: 5
6. CENSUS TRACT: 4113.02
7. WATERSHED: GUNPOWDER FALLS
8. REGIONAL PLANNING DISTRICT: 317 B
9. SCHOOL DISTRICT-143
10. SOIL MAP REF. 37
11. DEED REF. 1720/327 & 859/577
12. TAX ACCT. NO. 1119008800 & 1119008801
13. TAX MAP: 73 BLOCK 7 PARCEL 312 & 313
14. THIS PROPERTY, AS SHOWN ON THIS PLAN, HAS BEEN HELD INTACT SINCE MC 18, 48. 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,
15. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
16. PUBLIC WATER EXTENSION IS NEEDED FOR THIS PROJECT.
17. PRIOR TO RECORD PLAT APPROVAL, ANY EXISTING UNDERGROUND STORAGE TANKS MUST BE PROPERLY REMOVED UNDER PERMIT BY A LICENSED TANK REMOVAL CONTRACTOR.
18. DRAINAGE AND UTILITY EASEMENTS SHOWN ARE ALL PUBLIC UNLESS OTHERWISE NOTED.
19. PUBLIC SEWER AND WATER FACILITIES ARE AVAILABLE TO THIS SITE. 2 UNITS IS 2,000
20. LOS REQUIRED FOR 42 UNITS IS 42,000 S.F. OR 0.96 AC.± = 44,000 S.F. 1.01
OPEN SPACE REQUIRED = ~~37,800~~ S.F. ACTIVE AND ~~17,100~~ S.F. PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION 1B01.1.B.1.a.(2) OF THE B.C.Z.R.
OPEN SPACE PROVIDED = ~~27,810~~ S.F. ACTIVE AND ~~21,016~~ S.F. PASSIVE
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.
THE DESIGN, CONSTRUCTION AND INSTALLATION OF ALL AMENITIES SHOWN ON THE DEVELOPMENT PLAN SHALL BE THE RESPONSIBILITY OF THE DEVELOPER.
21. SUB SEWERSHED - BEAN RUN WATERSHED & BIRD RIVER WATERSHED
22. THIS WILL BE A COMBINED DEVELOPMENT AND FINAL DEVELOPMENT PLAN.
23. NOT LOCATED IN A HISTORIC DISTRICT.
24. NO FLOODPLAIN AREAS.
25. PRIOR ZONING HISTORY.
26. NOT LOCATED IN DEFICIENT AREA OF BASIC SERVICE MAP.
27. SEE ORDER OF REMAND ~~Second sheet~~ HEARING OFFICER HEARING FOR ~~DEV. PLAN/FDP~~ & VARIANCES JULY 14, 2002.
5 28. EX. SEPTIC SYSTEMS MUST BE PUMPED AND BACK-FILLED OR REMOVED BY A LICENSED SEWAGE DISPOSAL CONTRACTOR
5 29. PRIOR TO RECORD PLAT APPROVAL, ANY EXISTING WELLS MUST BE BACK-FILLED BY A LICENSED MASTER WELL DRILLER WHO MUST SUBMIT A WELL ABANDONMENT REPORT TO DEPRM

APPROVED AS BEING WITHIN THE SPIRIT AND INTENT OF THE PLAN AND ORDER IN ZONING CASE # 02-518-SPVA-H (PDM # XI-884)
Jeffrey Perlow 5/24/05
SIGNED BY PLANNER DATE

FOREST BUFFER EASEMENT & FOREST CONSERVATION EASEMENT

STANDARD NON-DISTURBANCE NOTE:
"THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT."

PROTECTIVE COVENANTS NOTE:
"ANY FOREST BUFFER EASEMENT 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.

SPECIMEN TREE NOTE:
"THERE SHALL BE NO SOIL COMPACTION, CLEARING, GRADING, BURNING, INTRODUCTION OF CHEMICALS, CONSTRUCTION OR OTHER DISTURBANCE DETRIMENTAL TO THE LIVE SPECIMEN TREE(S) OR CRITICAL ROOT ZONE FOR THIS (THESE) TREES EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPRM"

"HOLTER PROPERTY" 70/13
RESIDENTIAL

IN RE. DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL VARIANCE
NW/S Old Philadelphia Road, 408' W of the c/l Holter Road (Overlook @ Perry Hall) (11324 Philadelphia Road)
11th Election District
5th Council District
Estate of Annie Schaech, Owner; Valmor, Inc, Contract Purchaser/Developer

- BEFORE THE
- ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- Case Nos. XI-884 & 02-518-SPVA-H

ORDER

After consideration of the Stipulation of Dismissal filed by Appellant and Developer, it is this 13th day of March, 2003

ORDERED that the captioned Appeal be and it is hereby DISMISSED WITH PREJUDICE

Lawrence S. Wescott
Margaret Worrall
C. Lynn Barranger

DIRECTOR OF P.D.M. NOTE:
THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF P.D.M. BASED ON HIS INTERPRETATION 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 OR ANY PURPOSE OTHER THAN THAT IS INDICATED PRESENTLY ON SAID PLAN, UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.

CURB CUT NOTE:
THE EXACT LOCATION OF 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.

CONSTRUCTION NOTES:
1. USE WELL COMPACTED FILL, SOD & PEG OR SEED MULCH & JUTE THATCHING. USE OF UNDERDRAINS TO LESSEN EFFECT OF HIGH WATER TABLE. RESULT OF BORING WILL DETERMINE IF SPECIAL DESIGN IS NECESSARY.
2. FOUNDATIONS TO BE CONSTRUCTED ON CONTROL FILL. USE UNDERDRAINS TO LESSEN EFFECT ON HIGH WATER TABLE. RESULT OF BORING WILL DETERMINE IF SPECIAL DESIGN IS NECESSARY. DISTURBED AREAS TO BE SODDED OR SEEDED, MULCH AND JUTE THATCHED.
3. DRIVEWAYS TO BE TAR AND CHIP AND WILL BE MAINTAINED EQUALLY BY ALL PARTIES HAVING RIGHTS TO THEIR USE BY A RECORDED COVENANTS.

DELINQUENT ACCOUNT CERTIFICATION
I, VAL MOR, INC., CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

REASON FOR 2ND AMENDED 12-29-04
ADDED TWO (2) LOTS 43 & 44 IN AREA OF LOTS 9 & 10
REVISED WETLAND DELINEATION & L.O.S.
DRC # 051704T APPROVED NOV. 15, 2004, NO LOTS SOLD WITHIN 300' AND AREA TO THE REAR OF LOT 41 & 42 REVISED.

"This site is located within the Honeygo Overlay District H and is partially located within the Bean Run Subarea and partially located within the Bird River Subarea. The site is subject to the applicable Honeygo development standards, the Honeygo Overlay District Design Guidelines, the residential performance standards, as well as other Baltimore County zoning regulations and policies, pursuant to Section 259, 259.9 G, 259.9 G.3 and Section 260, BCZR. The site must comply with all of the aforementioned standards and guidelines."

PLAN TO ACCOMPANY DRC REQUEST 4/22/04

PLAN TO ACCOMPANY HEARING OFFICER'S ORDER
10/10/03 Walter Smith
DATE PROJECT MANAGER

APPROVAL STAMP
APPROVED BY OFFICE OF PLANNING & ZONING
DIRECTOR OF PLANNING 10/07/03 DATE
DIRECTOR OF P.D.M. DATE

WOOD FENCE DETAIL
NTS

TYPICAL HALF SECTION PHILADELPHIA RD
NTS

2 THIS PLAN IS SEALED AND CERTIFIED TO BE IN ACCORDANCE WITH THE HEARING OFFICER'S ORDER AND ALL AGENCY COMMENTS.

Site Rite Surveying, Inc.
200 E. Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410)828-9060

DEVELOPER
VAL MOR, INC.
P.O. BOX 68
REISTERSTOWN, MD. 21136
PHONE: (443) 415-8688

OWNER
JOSEPH & ANNA SCHAECH
11324 PHILADELPHIA ROAD
WHITEMARSH, MD. 21162
DEED REF. 1720/327 & 859/577
TAX ACCT. NO. 1119008800
NO. 1119008801

REASON FOR 1ST AMENDED 10-07-03
ADDED DRAINAGE & UTILITY ESMT TO LOTS 16, 17 & 18 & 19
ALSO LOTS 33 & 34 AND LOTS 24, 25 & 26.
CHANGED ROAD NAMES TO OVERLOOK CIRCLE & OVERLOOK CT.
NO LOTS HAVE BEEN SOLD.

A REVISED MARCH 17, 2003
REVISED 10-07-03

2nd AMENDED PLAT TO ACCOMPANY PETITION FOR SPECIAL VARIANCE AND VARIANCES
1ST AMENDED PDM FILE Nº XI-884

DEVELOPMENT PLAN/FDP
OVERLOOK AT PERRY HALL

11TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.
SCALE: 1"=50'
MAR. 4, 2002
REVISED JUN. 13, 2002
REVISED JULY 3, 2002
REVISED JULY 5, 2002
REVISED AUGUST 28, 2002
REVISED OCT. 9, 2002
REVISED DEC 16, 2002

SHEET 1 OF 2

GENERAL NOTES CONTINUED FROM SHEET 1

27 BALTIMORE COUNTY 200' SCALE ZONING MAP N E 10-J
28 WETLANDS FOREST CONSERVATION WORKSHEET AND FOREST STAND DELINEATION ECO-SCIENCE PROFESSIONALS, INC
29 UTILITIES PUBLIC WATER AND SEWER WILL BE PROVIDED
30 USE THE EXISTING USE IS RESIDENTIAL (ALL EXISTING STRUCTURES TO BE RAZED BY THE DEVELOPER)
THE PROPOSED USE IS RESIDENTIAL (ALL SINGLE FAMILY DWELLING LOTS FOR SALE)
31 AVERAGE DAILY TRIPS AS CALCULATED FROM THE BALTIMORE COUNTY COMPREHENSIVE MANUAL OF DEVELOPMENT POLICY SINGLE FAMILY 42 UNITS X 12.5/UNIT = 525 ADTS
32 STORMWATER MANAGEMENT STORMWATER MANAGEMENT WILL CONFORM TO BALTIMORE COUNTY STANDARDS STORMWATER MANAGEMENT FACILITIES WILL BE OWNED AND MAINTAINED BY BALTIMORE COUNTY STORMWATER MANAGEMENT FACILITIES SHALL BE SCREENED FROM ADJACENT RESIDENTIAL PROPERTIES PRELIMINARY HYDROLOGY COMPUTATIONS HAVE BEEN PROVIDED TO DEPRM PRIOR TO THE FILING OF THE DEVELOPMENT PLAN
SLOPES FOR THE STORMWATER MANAGEMENT PONDS SHALL NOT EXCEED A RATIO OF 3:1 (BALTIMORE COUNTY ZONING REGULATIONS) VARIANCE REQUESTED
33 GRADING GRADING SHOWN IS SCHEMATIC ONLY
34 VEGETATION EXISTING VEGETATION WILL BE RETAINED IN AREAS NOT NEEDED FOR CONSTRUCTION OR GRADING.
EXISTING VEGETATION CONSISTS OF WOODS, SCRUB AREAS AND LAWN
35. 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
36 SIDEWALKS SHALL BE PROVIDED ON ALL PUBLIC ROADS
37 FUTURE SIGNS SHALL CONFORM WITH BCZR SECTION 450 AND ALL ZONING POLICIES SIGNS ARE ALSO SUBJECT TO COMPLIANCE WITH SECTIONS 1025 AND 259.9 D, BCZR
⚠ 38 BUILDING FOOTPRINTS SHOWN ARE FOR ILLUSTRATIVE PURPOSES ONLY AND MAY NOT REPRESENT THE ACTUAL FOUNDATION PLAN SETBACKS AS SHOWN IN TYPICALS WILL APPLY
39 ACCESSORY STRUCTURES/OPEN PROJECTIONS
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) ACCESSORY STRUCTURES ARE LIMITED BY SECTION 259.9 A.3, OPEN PROJECTIONS BY SECTION 259.9 B.4.c AND d(1) (2) AND 303.1 AND FENCES BY SECTION 259.9.C.6 IN FRONT YARDS PER SECTION 259.9.G, THE HONEYGO REGULATIONS CONTROL WHERE THERE IS CONFLICT WITH OTHER BALTIMORE COUNTY REGULATIONS
40 MAXIMUM BUILDING HEIGHT ALLOWED IS 50 FEET, TWO STORY HOMES ARE GENERALLY PROPOSED
41 THE CIM WAS HELD ON DECEMBER 13,2001 THE MINUTES WHICH IDENTIFY ALL CAN BE FOUND IN PDM FILE NO XI-884, ON FILE IN ROOM 123 OF THE BALTIMORE COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVENUE, TOWSON, MD 21204
⚠ 42 THERE ARE NO KNOWN LIMITATIONS ESTABLISHED BY THE COURTS, COUNTY BOARDS OF APPEALS, PLANNING BOARD OR OR RESTRICTIVE COVENANTS RECORDED WITH INDIVIDUALS OR GROUPS WHICH WOULD LIMIT PROPOSED DEVELOPMENT ON SITE
43 A HYDROGEOLOGICAL REPORT AND AN ENVIRONMENTAL EFFECTS REPORT HAS BEEN FILED CONCURRENTLY WITH THIS DEVELOPMENT PLAN
44 A PRELIMINARY FOREST CONSERVATION PLAN AND WORKSHEET HAVE BEEN FILED INDEPENDENTLY OF THIS PLAN IN ACCORDANCE WITH SECTION 14-408
⚠ 45. THE PROPERTY IS LOCATED PARTIALLY IN THE BEAN RUN SUBAREA AND PARTIALLY IN THE BIRD RIVER SUBAREA ALL HONEYGO DENSITY AND AREA STANDARDS WILL BE MET OR COMPLY WITH PUBLIC ZONING HEARING
46 ALL PROPOSED ROADS ARE PUBLIC
ALL ROADS AND EASEMENTS 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
47 THE HONEYGO OVERLAY DESIGN GUIDELINES WERE ADOPTED BY THE COUNTY COUNCIL ON MARCH 17,1997
48 THE PROPOSED DWELLING AND DEVELOPMENT WILL BE CONSISTENT WITH THE DESIGN GUIDELINES OF THE HONEYGO OVERLAY DISTRICT DESIGN GUIDELINES MANUAL AND OTHER DESIGN MANUALS SUCH AS THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP) AND THE COUNTY LANDSCAPE MANUAL
49 REFUSE COLLECTION AND MAIL DELIVERY WILL BE BY BALTIMORE COUNTY AT CURBSIDE (FRONT)
50 THERE ARE NO RESIDENTIAL TRANSITION AREAS
51 DEVELOPER IS RESPONSIBLE FOR ENSURING THAT BALTIMORE COUNTY IS GRANTED ADEQUATE ACCESS TO ALL FOREST CONSERVATION RESERVATION AREAS
52. A LANDSCAPE PLAN MUST BE APPROVED BY BALTIMORE COUNTY PRIOR TO ISSUANCE OF A BUILDING PERMIT
⚠ 53 PARKING IS ALSO SUBJECT TO COMPLIANCE WITH SECTION 259.9 F BCZR ;
PARKING REQUIRED 2 SPACES X 42 LOTS = 84 SPACES.

IN RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL VARIANCE NW/S Old Philadelphia Road, 408' W of the c/l Holter Road (Overlook @ Perry Hall) (11324 Philadelphia Road) 11th Election District 5th Council District
Estate of Anna Schaech, Owners, Valmor, Inc., Contract Purchaser/Developer
* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case Nos. XI-884 & 02-518-SPVA-H

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER ON REMAND

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this 4th day of November, 2002 that the revised development plan for the Overlook @ Perry Hall, identified herein as Developer's Exhibit 3, be and is hereby APPROVED, subject to the following terms and conditions:

1) The existing well will be back-filled prior to record plat.
2) The Developer shall provide an easement between Lots 9 and 10 as an alternative for the potential utility extension to the adjacent property owned by Southern Land, however, the Developer is not required to actually install utilities within that easement.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 259.8 and 4A02 4F of the Baltimore County Zoning Regulations (B C.Z.R.), to permit the issuance of building permits for the proposed development (prior to the completion of certain road improvements to Cross Road and Forge Roads); from Section 259 9.C.8 to permit storm water management pond slopes of 2 1 in lieu of the maximum allowed 3 1 slope; and, from Section 259 9.B.3 to approve that Lots 37 and 42 comply with the provisions of Section 259.7S (Threshold Limits - Honeygo Area), due to the existence of a ridge line and not involving issues of capacity, in accordance with Developer's Exhibit 3, be and is hereby GRANTED; and,

OPEN SPACE IS SUBJECT TO COMPLIANCE WITH SECTION 259.9E BCZR
"All Local Open Space shall be in compliance with the Local Open Space Manual, Latest Edition."
"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 October 1, 1990

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 (PU) = 1 major deciduous tree or
2 minor deciduous trees or
2 evergreen trees or
5 shrubs or
500 S.F. of ground cover or
20 ornamental grasses

		REQUIRED:	PROPOSED:
ADJACENT ROAD:	1 PU/40 LF Min 75% major deciduous	470 LF 12 P.U.	12 P.U.
INTERIOR ROAD:	1 PU/20 LF Min 75% major deciduous	4770 LF 239 P.U.	239 P.U.
SCREEN OF SIDE & REAR:	Class 'A' screen 1 PU/15 LF Min 5' Ht. at maturity Min 30" Ht. at installation	1040 LF 70 P.U.	70 P.U.
STORMWATER MANAGEMENT:	If side slopes are > 4:1, class 'A' screen 1 PU/15 LF Min 5' Ht. at maturity Min 30" Ht. at installation	280 LF 19 P.U.	19 P.U.
	TOTAL:	340 P.U.	340 P.U.

SOIL LIMITATIONS

Symbol		Class	Basements	Roads
BtB	Beltsville	C	Moderate	Moderate
ChB2	CHILLUM	C	SLIGHT	MODERATE
Lr	Leonardtown	D	Severe	Severe
ChC2	CHILLUM	C	SLIGHT	SEVERE
LnC3	Lenoir	D	Severe	Severe

⚠ COMBINED HONEYGO/RESIDENTIAL BUILDING SETBACKS & LOT WIDTHS CHART (HONEYGO OVERLAY DISTRICT)

	DR 3-H, DR 5-H; DR 10 SH & RP 16-H	DR 1-H & DR 2-H ⚠
From building face (FRONT, SIDE OR REAR) 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 (FRONT, SIDE OR REAR) 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: FRONT PROPERTY LINE (NOT A STREET LINE) Rear property line (NOT A STREET 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)	25' 50'	25' 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 WIDTHS MAY NOT BE LESS THAN 20')
Front entry garage shall be recessed behind the front facade of the dwelling	8' min.	8' MIN
SIDE BLDG FACE TO TRACT BOUNDARY	15'	25'
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 40-97 and 75-99		
SIDE BLDG FACE TO SIDE BLDG FACE	(< 20') 16' OF SEPARATION (720' 20'	30' SEPARATION
MINIMUM WIDTH FOR SINGLE FAMILY DETACHED LOT MEASURED ALONG BOTH THE FRONT WALL & REAR WALL OF THE DWELLING UNIT	85'	85'

LEGEND

EXISTING: TRACT BOUNDARY, ZONING LINE, EASEMENT, INDEX CONTOUR, WATER, SEWER, FIRE HYDRANT, ROAD, SOILS, LIGHT, TREES, UTILITY POLE, WETLANDS, WETLANDS

PROPOSED: FOREST BUFFER EASEMENT, INDEX CONTOUR, WATER, CONTOUR, FIRE HYDRANT, SANITARY SEWER, STORM DRAIN, ADT, WATER, LIGHT

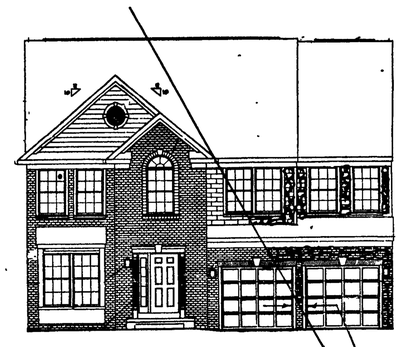
⚠ THIS PLAN IS SEALED AND CERTIFIED TO BE IN ACCORDANCE WITH THE HEARING OFFICER'S ORDER AND ALL AGENCY COMMENTS.

DEVELOPER VAL MOR, INC
PO BOX 66
FEISTERSTOWN, MD 21136
(410) 833-2323

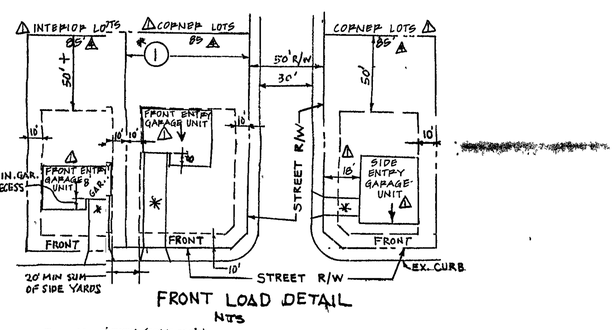
OWNER: JOSEPH AND ANNA SCHAECH
11324 PHILADELPHIA ROAD
WHITE MARSH, MD 21162
DEED REF 1720/827 & 659/577
TAX ACCT Nº 1119008800
1119008801

DEPRM RELIEF REQUEST
*STORMWATER MANAGEMENT: ND SIDE SLOPES TO EXCEED 3:1 SLOPES UNDER SECTION 259.9.C.8: 2:1 SLOPES INSIDE POND IN LIEU OF 3:1 SLOPES.

FOREST CONSERVATION NOTE
*2.44 ACRES +/- OF RESTORATION WILL BE ADDRESSED THROUGH THE PURCHASE OF CREDIT FROM A DEPRM FOREST RETENTION BANK.



TYPICAL FRONT ELEVATION WITH TWO DOOR GARAGE (N.T.S.)
(MUST COMPLY WITH SECTION 259.9.C.4 AND C.5 APPROVED MATERIALS ARE DEFINED AS BRICK OR STONE) (ALL DUAL GARAGE DOORS WILL HAVE DIVIDER OF 18" AS REQUIRED PER B.C.Z.R. AND THE DIVIDER WILL COMPLY WITH MATERIALS REQUIRED IN HONEYGO.) ⚠



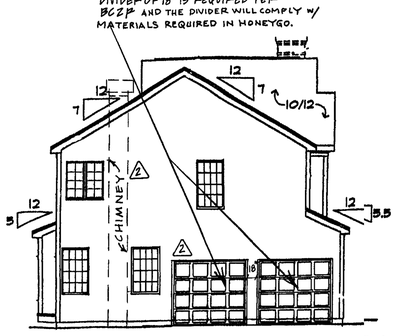
FRONT LOAD DETAIL
NTS

Typical Lot Layout (not to scale)
Note Philadelphia Road is an Arterial Road Interior Road is Neighborhood Street.
*Per Section 409. offstreet parking for pads in front of garages to be a minimum of 18 feet long

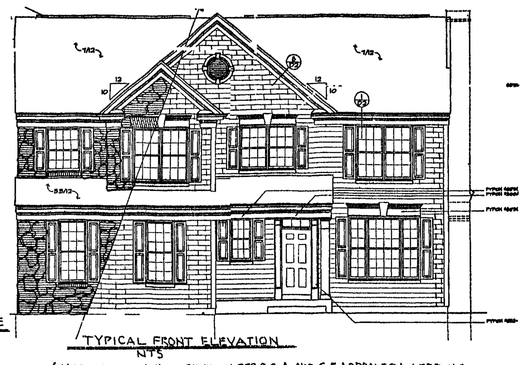
*All driveways will comply with Section 409.4 (BCZR) All parking and maneuvering areas will be paved ( ) The Developer will be responsible for paving driveways

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 (See Sections 259.9.G.1 through 259.9 G.4 below) of this section.
Section 259.9.A.3 (Bill No 73-1999)
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.
Section 259 9.B 1 (Bill No. 40-1997;73-1999)
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.
Section 259.9.B 3 (Bill No 40-1997;73-1999)
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.
Section 259 9.B 4 (Bill No. 40-1997;73-1999)
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;
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 (subject to Section 301 1, B.C.Z.R.), 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.
Section 259.9 C 3 (Bill No. 73-1999)
a. Except for properties with approved development plans or CRG plans (vested prior to September 13,1999 in accordance with Section 103.1), which shall be allowed front entry garages in accordance with the regulations in effect prior to January 14,1995 (see 1992 CMDP), 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.
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.
Section 259 9 C 4 (Bill Nos 40-1997; 73-1999)
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.
Section 259.9.C.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.
Section 259.9.C.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
Section 259 9 C.7
Roofs shall be pitched in accordance with the Honeygo Overlay District Design Guidelines.
Section 259 9.C.8
Stormwater management pond slopes, where management is not provided through a regional facility, shall not exceed a ratio of 3:1
Section 259.9.C.9
Rooftop equipment shall be screened so it is not visible from the ground level of adjacent buildings.
Section 259.9.G.1
The provisions of this section (Section 259.9,BCZR) shall govern in any situation where there is a conflict between this section (Section 259.9, BCZR) and other regulations.
Section 259.9.G.2
Where the provisions of this section (Section 259.9,BCZR) are silent, the provisions of these regulations governing the underlying zone shall apply.
Section 259 9.G 3 (Bill No 40-1997)
In addition to the requirements of this section, residential and commercial development in the area shall be subject to the Honeygo Overlay District Design Guidelines.
Section 259 9 G.4
Notwithstanding the provisions of Section 26-216 of the Baltimore County Code, 1988 Edition, as revised, the provisions of this section (Section 259.9,BCZR) do not apply to any property with an unexpired CRG plan that was approved prior to May 18,1992.

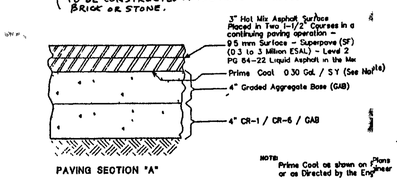
NOTE ⚠ ALL DUAL GARAGE DOORS WILL HAVE DIVIDER OF 18" IS REQUIRED PER BCZP AND THE DIVIDER WILL COMPLY W/ MATERIALS REQUIRED IN HONEYGO.



TYPICAL SIDE ELEVATION W/SIDE LOAD GARAGE
NTS
(MUST COMPLY WITH SECTION 259.9.C.3 a & b)
(DIVIDER REQUIRED WHEN DOORS FACE PUBLIC RIGHT OF WAY)
(TO BE CONSTRUCTED OF THE REQ'D APPROVED MATERIALS BRICK OR STONE.



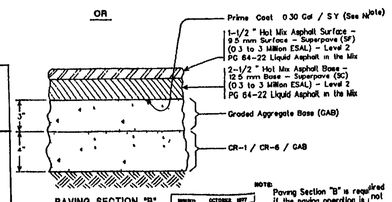
TYPICAL FRONT ELEVATION
NTS
(MUST COMPLY WITH SECTION 259.9.C.4 AND C.5 APPROVED MATERIALS ARE DEFINED AS BRICK AND STONE.)



NOTE: Prime Coat as shown on Plans or as Directed by the Engineer

PAVING SEOTION "A"

OR

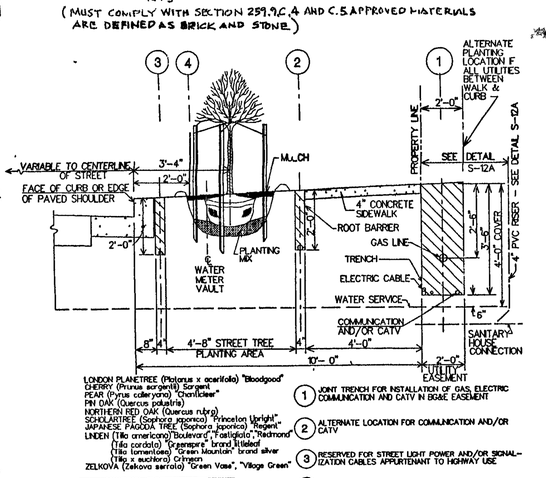


NOTE: Paving Section "B" is required if the paving operation is not continuous
Prime Coat as shown on Plans or as Directed by the Engineer

PAVING SECTION "B"

ISSUED	OCTOBER 28, 1998
REVISED	AUGUST, 1997
REVISED	

PLATE R-2

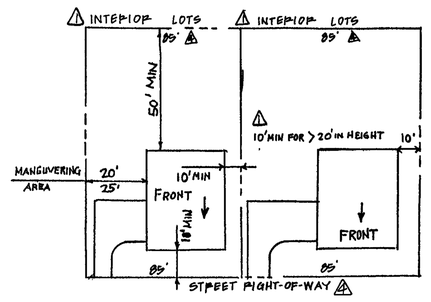


LONDON PLANETREE (Platanus x acerifolia) "Bloodgood"
CHERRY (Prunus sargentii) Sargent
PEAR (Pyrus calleryana) "Chanticleer"
PIN OAK (Quercus palustris)
NORTHERN RED OAK (Quercus rubra)
SCHOLARTREE (Sophora japonica) Princeton Upright"
JAPANESE PAGODA TREE (Sophora japonica) "Regent"
LINDEN (Tilia americana) "Boulevard", "Fastigiata", "Redmond"
(Tilia cordata) "Greenspire" brand, Littleleaf
(Tilia tomentosa) "Green Mountain" brand silver
(Tilia x euchlora) Crimean
ZELKOVA (Zelkova serrata) "Green Vase", "Village Green"

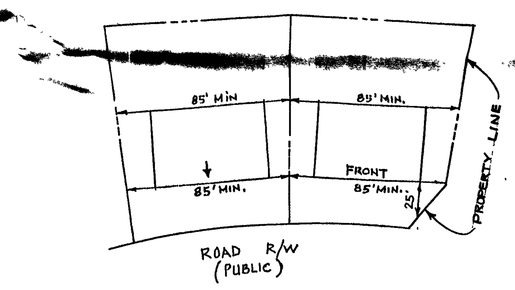
1 JOINT TRENCH FOR INSTALLATION OF GAS, ELECTRIC COMMUNICATION AND CATV IN BG&E EASEMENT
2 ALTERNATE LOCATION FOR COMMUNICATION AND/OR CATV
3 RESERVED FOR STREET LIGHT POWER AND/OR SIGNALIZATION CABLES APPURTENANT TO HIGHWAY USE
4 FIRE HYDRANTS & TRAFFIC SIGNS

ISSUED	OCTOBER 28, 1998
REVISED	AUGUST, 1997
REVISED	

PLATE 4-5A



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



Typical Building Envelope per Section 259.9.B.3
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 accordance with the diagram above.

"Envelopes or typical dwellings as shown dictate a specific location and orientation which is intended to allow compliance with the Baltimore County Zoning Regulations, the CMDP, and zoning policies. Should the final location and orientation of the proposed dwellings create conflicts with the regulations or policies, the location and orientation must be changed to alleviate the conflict". Failure to comply with the preceding may necessitate the need for variances prior to final zoning approval

NOTE: REQUEST VARIANCE TO CROSS SUBAREA LINE FROM BIRD RIVER SUBAREA INTO BEAN RUN SUBAREA FOR LOTS 37 AND 42 (PREVIOUSLY LOTS 21 & 22)

⚠ ZONING AND DEVELOPMENT HISTORY
JULY 23,2002 CASE NO XI-884 AND 02-518-SPVA-H
RED-LINE DEVELOPMENT PLAN FOR PROPOSED 47 SINGLE FAMILY DWELLINGS-DENIED
SPECIAL VARIANCE TO PERMIT ISSUANCE OF BUILDING PERMITS-DISMISSED AS MOOT
SPECIAL VARIANCE TO ALLOW FRONT ENTRY GARAGES TO BE LOCATED 0 FEET FROM FRONT LINE OF BUILDING FACE PROJECTION IN LIEU OF REQUIRED 8 FEET RECESS AND TO PERMIT SWMP SLOPES OF 2 1-DISMISSED AS MOOT
SPECIAL VARIANCE TO PERMIT A REAR YARD SETBACK OF 34 FEET (LOTS 1-10,12-26, 29-38 AND 40-47) AND 43 FEET FOR LOT 11, AND TO PERMIT THE LOT WIDTHS AS SHOWN IN TABLE A (ATTACHMENT 1)-DENIED

AUGUST 20,2002 CASE NO XI-884 AND 02-518-SPVA-H ORDER OF REMAND
TO SUBMIT A REVISED DEVELOPMENT PLAN ELIMINATING PREVIOUSLY PROPOSED REAR YARD AND LOT WIDTH VARIANCES- REMANDED FOR FURTHER CONSIDERATION AT A DEVELOPMENT PLAN CONFERENCE, FURTHER ORDERED THAT NO ADDITIONAL COMMUNITY INPUT MEETING NEED BE HELD BUT REVISED PLANS AND HEARING NOTIFICATION BE MAILED TO ALL ATTENDEES OF ORIGINAL HEARING OFFICER'S HEARING

NOVEMBER 22,2002 CASE NO XI-884 AND 02-518-SPVA-H
REVISED DEVELOPMENT PLAN APPROVED
VARIANCE TO PERMIT ISSUANCE OF BUILDING PERMITS, TO PERMIT SWMP SLOPES OF 2 1 AND TO APPROVE LOT7 AND 42 COMPLY WITH THE PROVISIONS OF THRESHOLD LIMITS-HONEYGO AREA-GRANTED
SPECIAL VARIANCE AND VARIANCE TO ALLOW FRONT ENTRY GARAGES TO BE LOCATED 0 FEET, TO PERMIT REAR YARD SETBACKS OF 34 FEET (LOTS 1-10,12-26, 29-38 AND 40-47) AND 43 FEET FOR LOT 11, AND TO PERMIT LOT WIDTHS SHOWN IN TABLE A (ATTACHMENT 1)-DISMISSED AS MOOT

(Zoning Case # XI-884 & 02-518-SPVA-H continued)

IT IS FURTHER ORDERED that the Petition for Special Variance and Variance seeking relief from Section 259.9.C.3 to allow front entry garages to be located 0 feet from the front line building face projection of the house in lieu of the required 8-foot recess for Lots 44, 45 and 46, from Section 259 9.B.4 e to permit a rear yard setback of 34 feet for Lots 1 through 10, 12 through 26, 29 through 38, and 40 through 47, and 43 feet for Lot 11, all in lieu of the required 50 feet, and, from Section 259 9.B.3 to permit the lot widths shown in Table A (Attachment 1 of the Petition), measured along both the front and rear walls of the dwelling units, in lieu of the required 85 feet for each, relief, be and are hereby DISMISSED AS MOOT.

IT IS FURTHER ORDERED that, except as specifically modified herein, the rationale, terms, and conditions as set out in the prior Order are incorporated herein and made a part hereof.

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

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

LES:bjs

"CONTINUED"

Having made this determination, that part of the Petition for Variance seeking relief from lot width and lot depth requirements shall be denied. In view thereof, the other variances that have been requested shall be dismissed as moot and the development plan shall be denied.

All that being said, residential development of this property is appropriate. This is not a case where any development of the site is inappropriate, merely this proposal Therefore, if it so desires, the Developer may resubmit a development plan to Baltimore County without starting the revsow process anew In that event, I would direct that an additional CIM be conducted in view of the community interest and significant anticipated changes to the plan. Thereafter, the matter would be scheduled for a DPC and ultimately, a Hearing Officer's Hearing. Moreover, I am not precluding the possibility that any variance relief associated with this project would be denied. As discussed above, a variance necessary to permit the storm water management plan as configured is appropriate, as is the special variance relating to the threshold limits and the potential extension of Cross Road and Forge Roads Finally, in certain instances, reduced setbacks for the garages might be appropriate Moreover, even some lots of slightly insufficient width or depth might be appropriate, given the general character of the property I am not precluding the possibility that variance relief could be granted in some instances, however, the Developer's blanket request to variance the vast majority of all of these lots, both from a width and depth standpoints, is unacceptable.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B C.Z.R and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be denied and the Petition for Special Variance and Variance granted in part and dismissed in part, in accordance with the attached Order

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this 28th day of July, 2002 that the red-lined development plan for Overlook at Perry Hall, identified herein as Developer's Exhibit 1A, be and is hereby DENIED, and,

IT IS FURTHER ORDERED that the Petition for Special Variance seeking relief from Sections 259 8 and 4A02 4F of the Baltimore County Zoning Regulations (B C.Z.R.), to permit the issuance of building permits for the proposed development (prior to the completion of certain road improvements to Cross Road and Forge Roads), be and is hereby DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the Petition for Special Variance seeking relief from the B C.Z.R. as follows. From Section 259 9 C.3 to allow front entry garages to be located 0 feet from the front line building face projection of the house in lieu of the required 8-foot recess for Lots 44, 45 and 46, and, from Section 259 9 C 8 to permit storm water management pond slopes of 2 1 in lieu of the maximum allowed 3 1 slope, in accordance with Developer's Exhibit 1A, be and is hereby DISMISSED AS MOOT, and,

IT IS FURTHER ORDERED that the Petition for Special Variance seeking relief from Section 259 9.B 4.e of the B C.Z.R. to permit a rear yard setback of 34 feet for Lots 1 through 10, 12 through 26, 29 through 38, and 40 through 47, and 43 feet for Lot 11, all in lieu of the required 50 feet, and from Section 259 9.B 3 of the B C.Z.R. to permit the lot widths shown in Table A (Attachment 1 of the Petition), measured along both the front and rear walls of the dwelling units, in lieu of the required 85 feet for each, together with a determination that Lots 21 and 22 comply with the provisions of Section 259 7S (Threshold Limits-Honeygo Area), due to the existence of a ridge line and not involving issues of capacity, in accordance with the development plan/site plan marked as Developer's Exhibit 1A, and be and is hereby DENIED.

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

LAWRENCE E SCHMIDT
Zoning Commissioner/Hearing Officer for Baltimore County

LES:bjs

This Development Plan is approved by the Director of P.D.M, based upon his interpretation 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 or any purpose other than that indicated presently on said Plan. Utilization will have occurred when a dwelling is constructed and transferred for purpose of occupancy.

IN RE: DEVELOPMENT PLAN & PETITION FOR VARIANCE and SPECIAL VARIANCE NW/S Old Philadelphia Road, W of c/l of Holter Road *Overlook at Perry Hall* 11th Election District 5th Councilmanic District
Valmor, Inc., Contract Purchaser

BEFORE THE HEARING OFFICER/ ZONING COMMISSIONER FOR BALTIMORE COUNTY
Case No. XI-884 and 02-518-SPVA-H

ORDER OF REMAND

Upon consideration of the Motion for Reconsideration Remand filed by Valmor, Inc. and upon reconsideration of the July 23, 2002 Order issued in this case and in light of the intent of Valmor, Inc to submit a revised development plan eliminating previously proposed rear yard and lot width variances, it is this 4th day of August, 2002, by the Hearing Officer/Zoning Commissioner for Baltimore County,

ORDERED that the above-referenced matter is hereby remanded for further consideration at a Development Plan Conference after submission by Valmor, Inc of the required number of copies of a revised development plan for the subject property; and it is

FURTHER ORDERED, that no additional Community Input Meeting need be held on the revised development plan but that Valmor, Inc. shall mail to all attendees of the original Hearing Officer's Hearing a copy of the revised development plan and notice of the date and time of the Development Plan Conference and subsequent Hearing Officer's Hearing.

LAWRENCE E SCHMIDT
Zoning Commissioner/Hearing Officer for Baltimore County

REASON FOR 2ND AMENDED 12-29-04
ADDED TWO (2) LOTS 43 & 44 IN AREA OF LOTS 9 & 10 REVISED WETLAND DELINEATION & L.O.S. DRC # 051704B APPROVED NOV. 15, 2004. NO LOTS SOLD WITHIN 300' AND AREA TO THE REAR OF LOT 41 & 42 REVISED.

APPROVAL STAMP
APPROVED BY OFFICE OF PLANNING & ZONING
DIRECTOR OF PLANNING DATE 3/31/03
DIRECTOR OF P.D.M. DATE

2nd AMENDED
PLAT TO ACCOMPANY PETITION FOR SPECIAL VARIANCES AND VARIANCES & DEVELOPMENT PLAN/F.D.P.
PDM FILE NO. XI-884
"OVERLOOK AT PERRY HALL"
ELECTION DISTRICT NO. 11
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50'
MARCH 5,2002
SHEET 2 OF 2
REVISED JUNE 13 2002

⚠ REV 12/16/02
⚠ REV 1/6/03
⚠ REVISED OCT 8, 2002
⚠ REVISED OCT 18, 2002
REVISED AUG 28, 2002
REVISED JULY 29, 2002
REVISED JULY 3, 2002

"THIS SITE IS LOCATED WITHIN THE HONEYGO OVERLAY DISTRICT H AND IS PARTIALLY LOCATED WITHIN THE BEAN RUN SUBAREA AND PARTIALLY LOCATED WITHIN THE BIRD RIVER SUBAREA. THE SITE IS SUBJECT TO THE APPLICABLE HONEYGO DEVELOPMENT STANDARDS, THE HONEYGO OVERLAY DISTRICT DESIGN GUIDELINES, THE RESIDENTIAL PERFORMANCE STANDARDS, AS WELL AS OTHER BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES, PURSUANT TO SECTION 259, 259.9.G.3 AND SECTION 260, BCZR. THE SITE MUST COMPLY WITH ALL OF THE AFOREMENTIONED STANDARDS AND GUIDELINES."

PLAN TO ACCOMPANY HEARING OFFICER'S ORDER
PROJECT MANAGER
4/1/03
DATE

SUMMARY OF WATER QUALITY MANAGEMENT AND GENERAL STORAGE REQUIREMENTS FOR THE OVERLOOK AT PERRY HALL STORMWATER MANAGEMENT POND

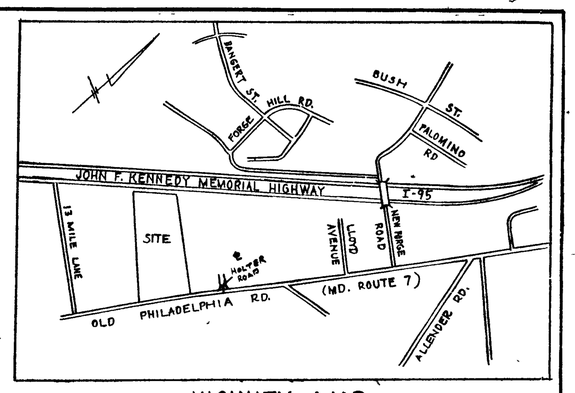
Water Quality Volume WQ_V (Natural Area) =	0 2958	Total WQ_V requirement
WQ_V (Forebay)[1]	0 0355	Minimum forebay volume required
WQ_V (Pond and dry)[1]	0 2603	Maximum pond volume required
Recharge Volume (Re_V)	0 0484	Volume is included in WQ_V storage within the pond
Channel Protection Volume (Cp_V)	0.7195	C_{PV} release rate is 0.46 cfs
Overbank Flood Protection Volume (Q_P)	0 272	Q_P is provided, Q_P is safely conveyed
Extreme Flood Volume (Q_f)	N/A	Q_f is not safely conveyed

STORMWATER MANAGEMENT SUMMARY TABLE

	14 54	6 14	5 97	0 1937	8,439
	20 76	9 73	10 35	0 2717	11 835
	41 46	22 69	NA*	0 5244	22,842
	64 23	37 54	NA*	0 7895	34,383

* Quantity control is not required for the 10-year and 100-year storm events for the site.

STORMWATER MANAGEMENT RESERVATION			
LINE	BEARING & DISTANCE	LINE	BEARING & DISTANCE
SW-1	N17°44'29"W-44.00'	SW-8	R=57.00' L=87.22' CH. S77°34'36"E-78.96'
SW-2	R=123.00' L=64.33' CH.N32°05'55"W-63.60'	SW-9	S17°24'39"W-19.65'
SW-3	N02°10'10"W-69.50'	SW-10	S39°52'37"E-51.47'
SW-4	N33°45'10"E-64.50'	SW-11	R=26.50' L=43.09' CH S06°42'35"W-38.50'
SW-5	S86°14'50"E-10.39'		
SW-6	N33°45'10"E-53.00'	SW-12	S23°26'38"E-15.24'
SW-7	N58°35'12"E-43.00'	SW-13	S46°56'45"W-230.33'



VICINITY MAP
SCALE: 1"=1000'

GENERAL NOTES

1. GROSS AREA PAR 312 - 1 00 AC ±, PAR 313 - 16 26 AC ±
   TOTAL GROSS AREA - 17 26 AC ± HIGHWAY WIDENING - 0. 419 AC.±
   NET AREA - 16 841 AC ±
2. EXISTING ZONING . DR 3.5 H (MAP NE 10 J) DR 2-H
3. NO OF LOTS ALLOWED 60 UNITS FOR DR 3 5 H , 0 UNITS FOR DR2-H , TOTAL 60
   UNITS NO DENSITY IS AVAILABLE TO THE DR2-H PORTION OF THE DEVELOPMENT TRACT
   AND THIS PORTION SHALL REMAIN NON-BUILDABLE.
4. NO. OF LOTS PROPOSED - 47 , ALL LOTS FOR SALE (S.F.D.)
5. COUNCILMANIC DISTRICT - 5
6. CENSUS TRACT - 4113.02
7. WATERSHED - GUNPOWDER FALLS
8. REGIONAL PLANNING DISTRICT - 317 B
9. SCHOOL DISTRICT - 143
10. SOIL MAP REF. - 37
11. DEED REF. 1720/327 & 659/577
12. TAX ACCT. NO. 1119008800 & 1119008801
13. TAX MAP - 73 BLOCK 7 PARCEL 312 & 313
14. THIS PROPERTY, AS SHOWN ON THIS PLAN, HAS BEEN HELD INTACT SINCE 12-16-48. 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.
15. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
16. PUBLIC WATER EXTENSION IS NEEDED FOR THIS PROJECT.
17. TO THE BEST OF OUR KNOWLEDGE THERE ARE ~~ONE~~ UNDERGROUND TWO TANKS ON THIS PROPERTY.
18. DRAINAGE AND UTILITY EASEMENTS SHOWN ARE ALL PUBLIC UNLESS OTHERWISE NOTED.
19. PUBLIC SEWER AND WATER FACILITIES ARE AVAILABLE TO THIS SITE.
20. LOS REQUIRED FOR 47 UNITS IS 47,000 S.F OR 1.08 AC.±
    OPEN SPACE REQUIRED - 30,550 S.F ACTIVE AND 16,450 S.F PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION III D 3.
    OPEN SPACE PROVIDED - 30,550 S.F. ACTIVE AND 17,347 S.F PASSIVE
    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
    THE DESIGN, CONSTRUCTION AND INSTALLATION OF ALL AMENITIES SHOWN ON THE DEVELOPMENT PLAN SHALL BE THE RESPONSIBILITY OF THE DEVELOPER
21. SUB SEWERSHED - BEAN RUN WATERSHED
22. THIS WILL BE A COMBINED DEVELOPMENT AND FINAL DEVELOPMENT PLAN.
23. ~~NOT LOCATED IN~~ A HISTORIC DISTRICT.
24. NO FLOODPLAIN AREAS
25. NO PRIOR ZONING HISTORY.
26. NOT LOCATED IN DEFICIENT AREA OF BASIC SERVICE MAP.

FOREST BUFFER EASEMENT & FOREST CONSERVATION EASEMENT

STANDARD NON-DISTURBANCE NOTE
"THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT"

PROTECTIVE COVENANTS NOTE
"ANY FOREST BUFFER EASEMENT 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.

SPECIMEN TREE NOTE:
"THERE SHALL BE NO SOIL COMPACTION, CLEARING, GRADING, BURNING, INTRODUCTION OF CHEMICALS, CONSTRUCTION OR OTHER DISTURBANCE DETRIMENTAL TO THE LIFE SPECIMEN TREE(S) OR CRITICAL ROOT ZONE FOR THIS (THESE) TREES EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPRM."

FOREST BUFFER EASEMENT			
LINE	BEARING & DISTANCE	LINE	BEARING & DISTANCE
FB-1	S53°38'08"E-20.47'	FB-6	S30°44'02"E-19.18'
FB-2	R=80.00' L=71.86' CH S27°54'12"E-69.47'	FB-7	S66°33'51"E-68.53'
FB-3	S02°10'10"E-90.50'	FB-8	R=100.00' L=184.79' CH S13°37'29"E-159.40'
FB-4	R=123.00' L=64.33' CH S32°05'55"E-63.60'	FB-9	N64°34'52"W-537.68'
FB-5	S17°44'29"E-82.48'	FB-10	N44°51'31"E-373.45'

FOREST CONSERVATION RESERVATION #2	
LINE	BEARING & DISTANCE
FC-1	R=128.00' L=22.51' CH S24°34'10.5"E-22.48'
FC-2	S60°23'31"W-22.57'
FC-3	R=100.00' L=83.76' CH. N42°34'05.5"W-81.33'
FC-4	S66°33'51"E-71.15'

BUREAU OF LAND ACQUISITION —
DEPT. OF RECREATION & PARKS —
M.D.T. ST. HIGHWAY ADMIN. —
CLARE BRUNNER GROUND WATER MANAGEMENT.
GLEN SHAFFER — D.P.R.
R.A. BOWLING —
PLANNING —
FENCE NO. CONVEYANCE RECORDED W/EACH
ITEM #1 LOT TO RESTRICT FENCE.
ITEM #2 SLOPE RATIO OF 3:1 (HAVE TO USE 2:1 BECAUSE OF STEING & FOREST C.R.) SEE.
ITEM #8

DIRECTOR OF P.D.M. NOTE
THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF P.D.M. BASED ON HIS INTERPRETATION 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, MAY NOT BE FURTHER SUBDIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR, IN ANY MANNER OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY

CURB CUT NOTE
THE EXACT LOCATION OF 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

CONSTRUCTION NOTES
1. USE WELL COMPACTED FILL SOD & PEG OR SEED MULCH & JUTE THATCHING USE OF UNDERDRAINS TO LESSEN EFFECT OF HIGH WATER TABLE RESULT OF BORING WILL DETERMINE IF SPECIAL DESIGN IS NECESSARY
2. FOUNDATIONS TO BE CONSTRUCTED ON CONTROL FILL USE UNDERDRAINS TO LESSEN EFFECT ON HIGH WATER TABLE RESULT OF BORING WILL DETERMINE IF SPECIAL DESIGN IS NECESSARY DISTURBED AREAS TO BE SODDED OR SEEDED MULCH AND JUTE THATCHED
3. DRIVEWAYS TO BE TAR AND CHIP AND WILL BE MAINTAINED EQUALLY BY ALL PARTIES HAVING RIGHTS TO THEIR USE BY A RECORDED COVENANTS

DELINQUENT ACCOUNT CERTIFICATION
I, VAL MOR INC CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING THE APPLICANT A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT

"This site is located within the Honeygo Overlay District H and is partially located within the Bean Run Subarea and partially located within the Bird River Subarea. The site is subject to the applicable Honeygo development standards, the Honeygo Overlay District Design Guidelines the residential performance standards, as well as other Baltimore County zoning regulations and policies, pursuant to Section 259, 259.9 G, 259.9 G.3 and Section 260, BCZR. The site must comply with all of the aforementioned standards and guidelines."

DEPARTMENTS COMMENTS

APPROVAL STAMP
APPROVED BY OFFICE OF PLANNING & ZONING
DIRECTOR OF PLANNING DATE
DIRECTOR OF P.D.M DATE

THIS FINAL DEVELOPMENT PLAN COMPLIES WITH ALL COUNTY COMMENTS AND IS IN AGREEMENT WITH DEVELOPERS EXHIBIT 4A AND ALL OTHER APPROVED PLANS AND/OR ZONING AND DEVELOPMENT HEARING ORDERS.

Site Rite Surveying, Inc
200 E Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410)828-9060

DEVELOPER,
VAL MOR, INC.
PO BOX 68
REISTERSTOWN, MD. 21136
PHONE. (443) 415-8688

OWNER
JOSEPH & ANNA SCHAECH
11324 PHILADELPHIA ROAD
WHITEMARSH, MD. 21162
DEED REF 1720/327 & 659/577
TAX ACCT. NO. 1119008800
NO 1119008801

PLAT TO ACCOMPANY PETITION FOR SPECIAL VARIANCE AND VARIANCES
PDM FILE Nº XI-884
DEVELOPMENT PLAN/FDP
OVERLOOK AT PERRY HALL
11TH. ELECTION DISTRICT
BALTIMORE COUNTY, MD.
SCALE 1"=50'
MAR 4, 2002
REVISED JUN. 13, 2002
REVISED JULY 3, 2002

SHEET 1 OF 2

GENERAL NOTES CONTINUED FROM SHEET 1

27 BALTIMORE COUNTY 200' SCALE ZONING MAP N.E. 10-J
28 WETLANDS: FOREST CONSERVATION WORKSHEET AND FOREST STAND DELINEATION: ECO-SCIENCE PROFESSIONALS, INC.
29 UTILITIES: PUBLIC WATER AND SEWER WILL BE PROVIDED
30 USE: THE EXISTING USE IS RESIDENTIAL (ALL EXISTING STRUCTURES TO BE RAZED BY THE DEVELOPER)
THE PROPOSED USE IS RESIDENTIAL (ALL SINGLE FAMILY DWELLING LOTS FOR SALE)
31 AVERAGE DAILY TRIPS AS CALCULATED FROM THE BALTIMORE COUNTY COMPREHENSIVE MANUAL OF DEVELOPMENT POLICY: SINGLE FAMILY 47 UNITS X 10/UNIT = 470 ADTS
32 STORMWATER MANAGEMENT: STORMWATER MANAGEMENT WILL CONFORM TO BALTIMORE COUNTY STANDARDS. STORMWATER MANAGEMENT FACILITIES WILL BE OWNED AND MAINTAINED BY BALTIMORE COUNTY. STORMWATER MANAGEMENT FACILITIES SHALL BE SCREENED FROM ADJACENT RESIDENTIAL PROPERTIES. PRELIMINARY HYDROLOGY COMPUTATIONS HAVE BEEN PROVIDED TO DEPRM PRIOR TO THE FILING OF THE DEVELOPMENT PLAN. SLOPES FOR THE STORMWATER MANAGEMENT PONDS SHALL NOT EXCEED A RATIO OF 3:1 (BALTIMORE COUNTY ZONING REGULATIONS). VARIANCE REQUESTED
33 GRADING: GRADING SHOWN IS SCHEMATIC ONLY
34 VEGETATION: EXISTING VEGETATION WILL BE RETAINED IN AREAS NOT NEEDED FOR CONSTRUCTION OR GRADING. EXISTING VEGETATION CONSISTS OF WOODS, SCRUB AREAS AND LAWN
35 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
36 SIDEWALKS SHALL BE PROVIDED ON ALL PUBLIC ROADS
37 FUTURE SIGNS SHALL CONFORM WITH BCZR SECTION 450 AND ALL ZONING POLICIES. SIGNS ARE ALSO SUBJECT TO COMPLIANCE WITH SECTIONS 102.5 AND 259.9.D. BCZR
38 BUILDING FOOTPRINTS SHOWN ARE FOR ILLUSTRATIVE PURPOSES ONLY AND MAY NOT REPRESENT THE ACTUAL FOUNDATION PLAN
39 ACCESSORY STRUCTURES/OPEN PROJECTIONS
ACCESSORY STRUCTURES AND 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). ACCESSORY STRUCTURES ARE LIMITED BY SECTION 259.9.A.3. OPEN PROJECTIONS BY SECTION 259.9.B.4.c AND c(1) (2) AND 303.1 AND FENCES BY SECTION 259.9.C.6 IN FRONT YARDS. PER SECTION 259.9.G. THE HONEYGO REGULATIONS CONTROL WHERE THERE IS CONFLICT WITH OTHER BALTIMORE COUNTY REGULATIONS
40 MAXIMUM BUILDING HEIGHT ALLOWED IS 50 FEET. TWO STORY HOMES ARE GENERALLY PROPOSED
41 THE CMA WAS HELD ON DECEMBER 13,2001. THE MINUTES WHICH IDENTIFY ALL CAN BE FOUND IN PDM FILE NO. XI-884 ON FILE IN ROOM 123 OF THE BALTIMORE COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVENUE, TOWSON, MD 21204
42 THERE ARE NO KNOWN LIMITATIONS ESTABLISHED BY THE COURTS, COUNTY BOARDS OF APPEALS, PLANNING BOARD OR ZONING COMMISSIONER OR RESTRICTIVE COVENANTS RECORDED WITH INDIVIDUALS OR GROUPS WHICH WOULD LIMIT PROPOSED DEVELOPMENT ON SITE
43 A HYDROGEOLOGICAL REPORT AND AN ENVIRONMENTAL EFFECTS REPORT HAS BEEN FILED CONCURRENTLY WITH THIS DEVELOPMENT PLAN
44 A PRELIMINARY FOREST CONSERVATION PLAN AND WORKSHEET HAVE BEEN FILED INDEPENDENTLY OF THIS PLAN IN ACCORDANCE WITH SECTION 14-408
45 THE PROPERTY IS LOCATED PARTIALLY IN THE BEAN RUN SUBAREA AND PARTIALLY IN THE BIRD RIVER SUBAREA. ALL HONEYGO DENSITY AND AREA STANDARDS WILL BE MET OR SUBJECT TO A PUBLIC ZONING HEARING
46 ALL PROPOSED ROADS ARE PUBLIC
ALL ROADS AND EASEMENTS 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
47 THE HONEYGO OVERLAY DESIGN GUIDELINES WERE ADOPTED BY THE COUNTY COUNCIL ON MARCH 17,1997
48 THE PROPOSED DWELLING AND DEVELOPMENT WILL BE CONSISTENT WITH THE DESIGN GUIDELINES OF THE HONEYGO OVERLAY DISTRICT. DESIGN GUIDELINES MANUAL AND OTHER DESIGN MANUALS SUCH AS THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP) AND THE COUNTY LANDSCAPE MANUAL
49 REFUSE COLLECTION AND MAIL DELIVERY WILL BE BY BALTIMORE COUNTY AT CURBSIDE (FRONT)
50 THERE ARE NO RESIDENTIAL TRANSITION AREAS
51 DEVELOPER IS RESPONSIBLE FOR ENSURING THAT BALTIMORE COUNTY IS GRANTED ADEQUATE ACCESS TO ALL FOREST CONSERVATION RESERVATION AREAS
52 A LANDSCAPE PLAN MUST BE APPROVED BY BALTIMORE COUNTY PRIOR TO ISSUANCE OF A BUILDING PERMIT
53 PARKING IS ALSO SUBJECT TO COMPLIANCE WITH SECTION 259.9.F BCZR
54 PARKING REQUIRED 2 SPACES X 47 LOTS = 94 SPACES

OPEN SPACE IS ALSO SUBJECT TO COMPLIANCE WITH SECTION 259.9.E, BCZR

"All Local Open Space shall be in compliance with the Local Open Space Manual, Latest Edition."
"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 October 1, 1990

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 or
2 minor deciduous trees or
2 evergreen trees or
5 shrubs or
500 S.F. of ground cover or
20 ornamental grasses

		REQUIRED:	PROPOSED:
ADJACENT ROADS:	1 P.U./40 L.F. Min. 75% major deciduous	470 L.F. / 12 P.U.	12 P.U.
INTERIOR ROADS:	1 P.U./20 L.F. Min. 75% major deciduous	4770 L.F. / 239 P.U.	239 P.U.
SCREEN OF SIDE & REAR	Class 'A' screen 1 P.U./15 L.F. Min. 5' Ht. at maturity Min. 30" Ht. at installation	1040 L.F. / 70 P.U.	70 P.U.
STORMWATER MANAGEMENT:	If side slopes are > 4:1, class 'A' screen 1 P.U./15 L.F. Min. 5' Ht. at maturity Min. 30" Ht. at installation	280 L.F. / 19 P.U.	19 P.U.
	TOTAL:	340 P.U.	340 P.U.

SOIL LIMITATIONS

Symbol		Class	Basements	Roads
BtB	Beltsville	C	Moderate	Moderate
ChB2	CHILLUM	C	SLIGHT	MODERATE
Lr	Leonardtown	D	Severe	Severe
ChC2	CHILLUM	C	SLIGHT	SEVERE
LnC3	Lenoir	D	Severe	Severe

RESIDENTIAL BUILDING SETBACKS- D.R. ZONES
HONEYGO OVERLAY DISTRICT D.R.3.5H

From building face to: right-of-way of a collector street, neighborhood street, alley or court (not applied to porches & stoops in front yard)	10'
From building face to right-of-way of a major or minor arterial or collector road. (not applied to porches & stoops in front yard)	40'
From building face to: (FRONT PROPERTY LINE IS NOT A STREET) 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)	25' 30'
From building face to: The side yard lot line (at 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')
Front entry garage shall be recessed behind the front facade of the dwelling	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 75-99	

SIDE BLDG FACE TO SIDE BLDG FACE (<20') 16' OF SEPARATION (720) 20

LEGEND

EXISTING: TRACT BOUNDARY; INTER. CONTOUR; FIRE HYDRANT; ROAD; ZONING LINE; SOILS; LIGHT; EASEMENT; TREES; UTILITY POLE; INDEX CONTOUR; WETLANDS; WETLANDS
PROPOSED: FOREST BUFFER EASEMENT; FIRE HYDRANT; LIGHT; INDEX CONTOUR; SANITARY SEWER; INTER. CONTOUR; STORM DRAIN; APT; WATER

This Final Development Plan complies with all County comments and is in agreement with Developer's Exhibit 1A and all other approved plans and/or zoning and development hearing orders.

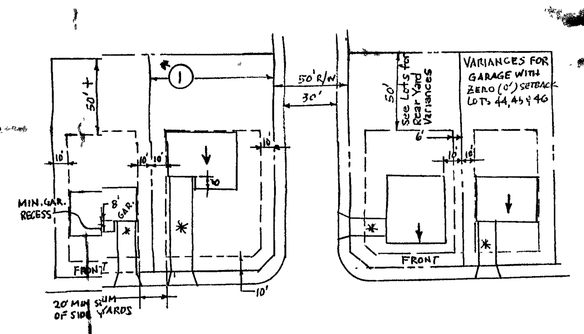
TABLE A

Lot No.	Requested Width	Lot No	Requested Width	Lot No	Requested Width	Lot No	Requested Width
1	77'	14	80'	25	80'	39	70'
2	80'	15	80'	26	80'	40	68'
3	80'	16	80'	27	65'	41	75'
4	80'	17	80'	28	75'	44	70'
5	80'	18	80'	33	80'	45	70'
6	75'	19	80'	34	80'	46	70'
7	65'	20	80'	35	80'	47	79'
12	80'	23	80'	37	74'		
13	80'	24	80'	38	70'		

DEPRM RELIEF REQUEST
STORMWATER MANAGEMENT POND SIDE SLOPES TO EXCEED 3:1 SLOPES UNDER SECTION 259.9.C.8 2':1SLOPES INSIDE. POND IN LIEU OF 3:1 SLOPES
FOREST CONSERVATION NOTE
2.4 Ac ± OF RESTORATION WILL BE ADDRESSED THROUGH THE PURCHASE OF CREDIT FROM A DEPRM APPROVED FOREST RETENTION BANK

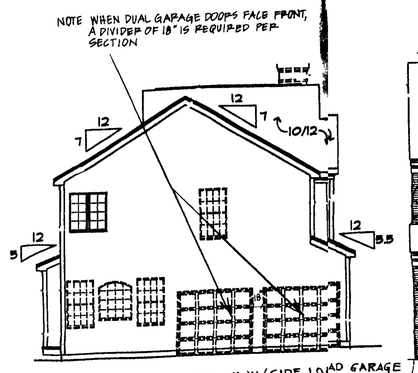
ZONING VARIANCE REQUEST

ZV-1 VARIANCE FROM THE THRESHOLD LIMITS CONTAINED IN THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR) SECTION 259.7 PURSUANT TO BCZR SECTION 259.8. AND BCZR SECTION 4A02.4.F. TO PERMIT THE ISSUANCE OF BUILDING PERMITS FOR CONSTRUCTION PURSUANT TO THE OVERLOOK AT PERRY HALL DEVELOPMENT PLAN
ZV-2 VARIANCE FROM BCZR SECTION 259.9.B.3 TO PERMIT LOT WIDTHS OF 64 FEET TO 80 FEET LOT NUMBERS 1 TO 7, 12 TO 20, 23 TO 28, 33 TO 35, 37 TO 41 AND 44 TO 47, AS MEASURED ALONG BOTH THE FRONT WALL AND REAR WALL OF THE DWELLING UNITS IN LIEU OF THE REQUIRED 85 FEET
ZV-3 VARIANCE FROM BCZR SECTION 259.9.B.4.c TO ALLOW REAR YARD OF 34 FEET IN LIEU OF THE REQUIRED 50 FEET FOR LOT NUMBERS 1 TO 10, 12 TO 26, 29 TO 38 AND 40 TO 47, REAR YARD OF 43' IN LIEU OF REQUIRED 50 FEET FOR LOT 11
ZV-4 VARIANCE FROM BCZR SECTION 259.9.C.3 TO ALLOW ZERO (0) FOOT SETBACK FROM FRONT LINE PROJECTION OF HOUSE FOR FRONT ENTRY GARAGE IN LIEU OF THE REQUIRED 8 FEET RECESS FOR LOT NUMBERS 44, 45 AND 46

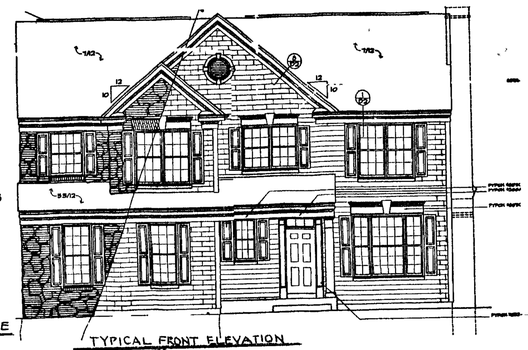


Typical Lot Layout (not to scale)

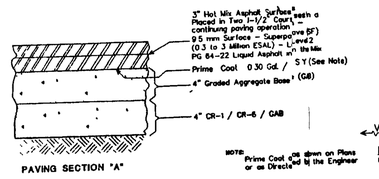
Notes:
Philadelphia Road is an Arterial Road. Interior Road is Neighborhood Street.
*Per Section 409. offstreet parking for pads in front of garages to be a minimum of 18 feet long.
*If zoning variance ZV-4 is granted, a deed restriction must be recorded in the County Land Records Office stipulating that lots 44, 45 and 46 will have at least an 18' driveway
*All driveways will comply with Section 409.4 (BCZR). All parking and maneuvering areas will be paved ( ). The Developer will be responsible for paving driveways.



TYPICAL SIDE ELEVATION W/ SIDE LOAD GARAGE
NTS
(MUST COMPLY WITH SECTION 259.9.C.3.a & b)
(DIVIDER REQUIRED WHEN DOORS FACE PUBLIC RIGHT OF WAY)



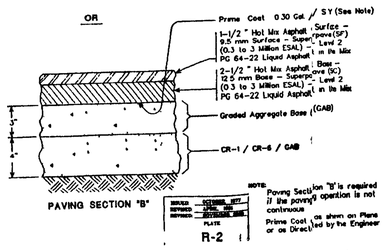
TYPICAL FRONT ELEVATION
NTS
(MUST COMPLY WITH SECTION 259.9.C.4 AND C.5. APPROVED MATERIALS ARE DEFINED AS BRICK AND STONE.)



PAVING SECTION "A"

NOTE: Prime Coat as shown on Plans or as Directed by the Engineer

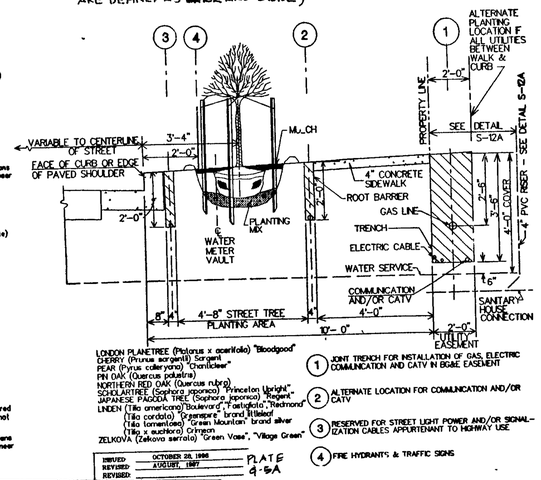
OR



PAVING SECTION "B"

NOTE: Paving Section "B" is required if the paving operation is not continuous as shown on Plans or as Directed by the Engineer

R-2



LONDON PLANETREE (Platanus x acerifolia) "Bloodgood"
CHERRY (Prunus sargentii) Sargent
PEAR (Pyrus calleryana) "Chanticleer"
PIN OAK (Quercus palustris)
NORTHERN RED OAK (Quercus rubra)
SCHOLARTREE (Sophora japonica) "Princeton Upright"
JAPANESE PAGODA TREE (Sophora japonica) "Regent"
LINDEN (Tilia americana) "Boulevard", "Fastigiata", "Redmond"
(Tilia cordata) "Greenspire" brand littleleaf
(Tilia tomentosa) "Green Mountain" brand silver
(Tilia x euchlora) Crimean
ZELKOVA (Zelkova serrata) "Green Vase", "Village Green"

1. JOINT TRENCH FOR INSTALLATION OF GAS, ELECTRIC COMMUNICATION AND CATV IN BG&E EASEMENT
2. ALTERNATE LOCATION FOR COMMUNICATION AND/OR CATV
3. RESERVED FOR STREET LIGHT POWER AND/OR SIGNALIZATION CABLES APPURTENANT TO HIGHWAY USE
4. FIRE HYDRANTS & TRAFFIC SIGNS

ISSUED: OCTOBER 20, 1998
REVISED: 4/05/2001, 1997
REVISED:
PLATE 9-9A

VARIANCE TABLE

LOTS	ZV-1	ZV-2	ZV-3	ZV-4	OTHERS
1		X	X		
2		X	X		
3		X	X		
4		X	X		
5		X	X		
6		X	X		
7		X	X		
8			X		
9			X		
10			X		
11			X		
12		X	X		
13		X	X		
14		X	X		
15		X	X		
16		X	X		
17		X	X		
18		X	X		
19		X	X		
20		X	X		
21			X		
22			X		
23		X	X		
24		X	X		
25		X	X		
26		X	X		
27		X			
28		X			
29			X		
30			X		
31			X		
32			X		
33		X	X		
34		X	X		
35		X	X		
36			X		
37		X	X		
38		X	X		
39		X			
40		X	X		
41			X		
42			X		
43			X		
44		X	X	X	
45		X	X	X	
46		X	X	X	
47		X	X		

OKAY

A FUTURE VARIANCE TO CROSS RIDGE LINE FROM BIRD RIVER INTO BEAN RUN. CHANGED TO READ VARIANCE TO CROSS RIDGE LINE FROM BIRD RIVER RUN TO BEAN RUN

DEVELOPER:
VAL MOR, INC.
P.O. BOX 68
REISTERSTOWN, MD 21136
(443)415-8688

OWNER:
JOSEPH AND ANNA SCHAECH
11324 PHILADELPHIA ROAD
WHITE MARSH, MD 21162
DEED REF.: 17,720/327 & 6591/577
TAX ACCT. NO. 1119008800
1119008801

259.9 Development Standards for H and HI 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. (See Sections 259.9.G.1 through 259.9.G.4 below) of this section.

Section 259.9.A.3 (Bill No. 73-1999)
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

Section 259.9.B.1 (Bill No. 40-1997, 73-1999)
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.

Section 259.9.B.3 (Bill No. 40-1997, 73-1999)
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.

Section 259.9.B.4 (Bill No. 40-1997, 73-1999)
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,
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

Section 259.9.C.3 (Bill No. 73-1999)
a. Except for properties with approved development plans or CRG plans (vested prior to September 13,1999 in accordance with Section 103.1), which shall be allowed front entry garages in accordance with the regulations in effect prior to January 14,1995 (see 1992 CMDP), 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
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.

Section 259.9.C.4 (Bill Nos. 40-1997, 73-1999)
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.

259.9.C.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

Section 259.9.C.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

Section 259.9.C.7
Roofs shall be pitched in accordance with the Honeygo Overlay District Design Guidelines.

Section 259.9.C.8
Stormwater management pond slopes, where management is not provided through a regional facility, shall not exceed a ratio of 3:1

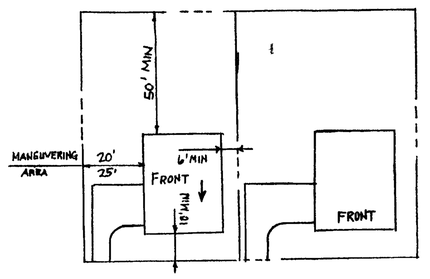
Section 259.9.C.9
Rooftop equipment shall be screened so it is not visible from the ground level of adjacent buildings.

Section 259.9.G.1
The provisions of this section (Section 259.9, BCZR) shall govern in any situation where there is a conflict between this section (Section 259.9, BCZR) and other regulations.

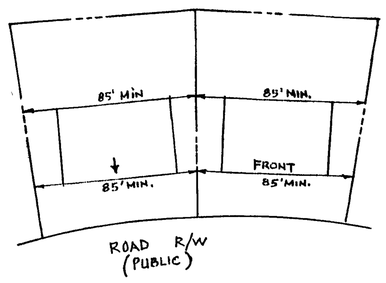
Section 259.9.G.2
Where the provisions of this section (Section 259.9, BCZR) are silent, the provisions of these regulations governing the underlying zone shall apply

Section 259.9.G.3 (Bill No. 40-1997)
In addition to the requirements of this section, residential and commercial development in the area shall be subject to the Honeygo Overlay District Design Guidelines.

Section 259.9.G.4
Notwithstanding the provisions of Section 26-216 of the Baltimore County Code, 1988 Edition, as revised, the provisions of this section (Section 259.9, BCZR) do not apply to any property with an unexpired CRG plan that was approved prior to May 18, 1992.



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



Typical Building Envelope per Section 259.9.B.3

*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 accordance with the diagram above. Also note that the minimum width for' lots with circled numbers * (1) vary between 65' - 80'. These lots are lot numbers 1 through 7, 12 through 20, 23 through 28; 33 through 35; 37 through 41 and 44 through 47*

Envelopes or typical dwellings as shown dictate a specific location and orientation which is intended to allow compliance with the Baltimore County Zoning Regulations, the CMDP, and zoning policies. Should the final location and orientation of the proposed dwellings create conflicts with the regulations or policies, the location and orientation must be changed to alleviate the conflict. Failure to comply with the preceding may necessitate the need for variances prior to final zoning approval

This Development Plan is approved by the Director of P.D.M., based upon his interpretation 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 or any purpose other than that indicated presently on said Plan. Utilization will have occurred when a dwelling is constructed and transferred for purpose of occupancy.

APPROVAL STAMP

APPROVED BY OFFICE OF PLANNING & ZONING

DIRECTOR OF PLANNING DATE

DIRECTOR OF P.D.M. DATE

DEV 9X 1B

PLAT TO ACCOMPANY PETITION FOR SPECIAL VARIANCES AND VARIANCES & DEVELOPMENT PLAN/F.D.P.
PDM FILE NO. XI-884
"OVERLOOK AT PERRY HALL"
ELECTION DISTRICT NO. 11
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50'
MARCH 5,2002
SHEET 2 OF 2
REVISED JULY 3, 2002 REVISED JUNE 13, 2002

"THIS SITE IS LOCATED WITHIN THE HONEYGO OVERLAY DISTRICT H AND IS PARTIALLY LOCATED WITHIN THE BEAN RUN SUBAREA AND PARTIALLY LOCATED WITHIN THE BIRD RIVER SUBAREA. THE SITE IS SUBJECT TO THE APPLICABLE HONEYGO DEVELOPMENT STANDARDS, THE HONEYGO OVERLAY DISTRICT DESIGN GUIDELINES, THE RESIDENTIAL PERFORMANCE STANDARDS, AS WELL AS OTHER BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES, PURSUANT TO SECTION 259, 259.9.G.3 AND SECTION 260, BCZR. THE SITE MUST COMPLY WITH ALL OF THE AFOREMENTIONED STANDARDS AND GUIDELINES."

SUMMARY OF WATER QUALITY MANAGEMENT AND GENERAL STORAGE REQUIREMENTS FOR THE OVERLOOK AT PERRY HALL STORMWATER MANAGEMENT POND

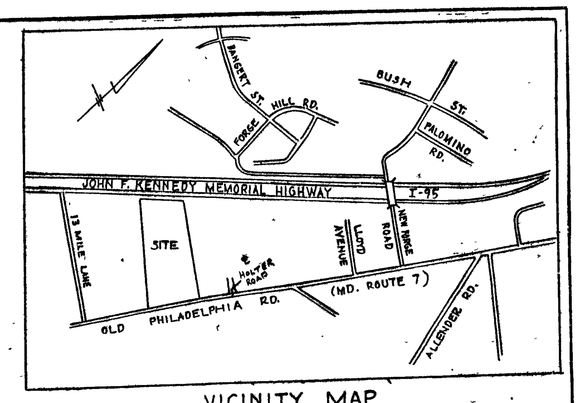
Water Quality Volume (WQ_v (Natural Area)) =	0 2958	Total WQ_v requirement
(WQ_v (Forebay)) =	0 0355	Minimum forebay volume required
(WQ_v (Pond recharge)) =	0 2603	Minimum pond volume required
Recharge Volume (Re_v)	0 0484	Volume is included in WQ_v storage within the pond
Channel Protection Volume (CP_v)	0.7196	CP_v release rate is 0.48 cfs
Overbank Flood Protection Volume (Q_p)	0.272	Q_{P10} provided, Q_{P10} safely conveyed
Extreme Flood Volume (Q_f)	N/A	Q_{P100} safely conveyed

STORMWATER MANAGEMENT SUMMARY TABLE

[illegible]	[illegible]	[illegible]	[illegible]	0 1937	8,439
	14 54	6 14	5 97	0 2717	11,836
	20 76	9 73	10 38	0 5244	22,842
	41 46	22 69	NA*	0 7895	34,388
	64 23	37 54	NA*		

* Quantity control is not required for the 10-year and 100-year storm events for the site.

STORMWATER MANAGEMENT RESERVATION			
LINE	BEARING & DISTANCE	LINE	BEARING & DISTANCE
SW-1	N17°44'29"W-44.00'	SW-8	R= 57.00' L= 87.22' CH. S77°36'36.5"E-78.86'
SW-2	R=123.00' L=64.33' CH.N32°05'55"W-63.60'	SW-9	S17°24'39"W - 19.65'
SW-3	N02°10'10"W-69.80'	SW-10	S39°52'37"E-51.47'
SW-4	N33°45'10"E-64.50'	SW-11	R=26.50' L=43.09' CH. S06°42'38"W-38.50'
SW-5	S86°14'50"E-10.39'	SW-12	S23°26'38"E-16.24'
SW-6	N33°45'10"E-53.00'	SW-13	S46°56'49"W-230.38'
SW-7	N58°35'12"E-43.00'		



VICINITY MAP
SCALE: 1"=1000'

GENERAL NOTES

1. GROSS AREA: PAR. 312 = 1.00 AC.±, PAR. 313 = 16 26 AC.±
   TOTAL GROSS AREA = 17.26 AC.± HIGHWAY WIDENING = 0. 419 AC.±
   NET AREA = 16.841 AC.±
2. EXISTING ZONING: DR 3.5 H. (MAP NE 10 J) DR 2-H
3. NO. OF LOTS ALLOWED: 60 UNITS FOR DR 3.5 H, 0 UNITS FOR DR 2-H, TOTAL 60 UNITS. NO DENSITY IS AVAILABLE TO THE DR 2-H PORTION OF THE DEVELOPMENT TRACT AND THIS PORTION SHALL REMAIN NON-BUILDABLE.
4. NO. OF LOTS PROPOSED: 42, ALL LOTS FOR SALE (S.F.D.)
5. COUNCILMANIC DISTRICT: 5
6. CENSUS TRACT: 4113.02
7. WATERSHED: GUNPOWDER FALLS
8. REGIONAL PLANNING DISTRICT: 317 B
9. SCHOOL DISTRICT - 143
10. SOIL MAP REF. 37
11. DEED REF. 1720/327 & 659/577
12. TAX ACCT. NO. 1119008800 & 1119008801
13. TAX MAP: 73 BLOCK 7 PARCEL 312 & 313
14. THIS PROPERTY, AS SHOWN ON THIS PLAN, HAS BEEN HELD INTACT SINCE MC-18,48. 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.
15. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
16. PUBLIC WATER EXTENSION IS NEEDED FOR THIS PROJECT.
17. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO UNDERGROUND TANKS ON THIS PROPERTY.
18. DRAINAGE AND UTILITY EASEMENTS SHOWN ARE ALL PUBLIC UNLESS OTHERWISE NOTED.
19. PUBLIC SEWER AND WATER FACILITIES ARE AVAILABLE TO THIS SITE.
20. LOS REQUIRED FOR 42 UNITS IS 42,000 S.F. OR 0.96 AC.±
    OPEN SPACE REQUIRED = 27,300 S.F. ACTIVE AND 14,700 S.F. PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION III.D.3.
    OPEN SPACE PROVIDED = 27,300 S.F ACTIVE AND 21,907 S.F. PASSIVE
    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.
    THE DESIGN, CONSTRUCTION AND INSTALLATION OF ALL AMENITIES SHOWN ON THE DEVELOPMENT PLAN SHALL BE THE RESPONSIBILITY OF THE DEVELOPER.
21. SUB SEWERSHED - BEAN RUN WATERSHED
22. THIS WILL BE A COMBINED DEVELOPMENT AND FINAL DEVELOPMENT PLAN.
23. NOT LOCATED IN A HISTORIC DISTRICT.
24. NO FLOODPLAIN AREAS.
25. NO PRIOR ZONING HISTORY.
26. NOT LOCATED IN DEFICIENT AREA OF BASIC SERVICE MAP.
27. SEE ORDER OF REMAND Second sheet
    HEARING OFFICER HEARING FOR DEV. PLAN/FDP & VARIANCES JULY 11, 2002.

FOREST BUFFER EASEMENT & FOREST CONSERVATION EASEMENT

STANDARD NON-DISTURBANCE NOTE:
"THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT."

PROTECTIVE COVENANTS NOTE:
"ANY FOREST BUFFER EASEMENT 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.

SPECIMEN TREE NOTE:
"THERE SHALL BE NO SOIL COMPACTION, CLEARING, GRADING, BURNING, INTRODUCTION OF CHEMICALS, CONSTRUCTION OR OTHER DISTURBANCE DETRIMENTAL TO THE LIVE SPECIMEN TREE(S) OR CRITICAL ROOT ZONE FOR THIS (THESE) TREES EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPRM."

FOREST BUFFER EASEMENT			
LINE	BEARING & DISTANCE	LINE	BEARING & DISTANCE
FB-1	S53°38'00"E - 20.44'	FB-6	S30°44'02"E-19.18'
FB-2	R= 80.00' L= 71.86' CH. S27°59'12"E-69.47'	FB-7	S66°33'51"E-68.53'
FB-3	S02°10'10"E - 90.80'	FB-8	R=100.00' L=184.77' CH S13°37'29"E-159.40'
FB-4	R=123.00' L=64.33' CH.S32°05'55"E-63.60'	FB-9	N64°34'52"W-337.68'
FB-5	S17°44'29"E - 82.48'	FB-10	N44°51'31"E-378.49'

FOREST CONSERVATION RESERVATION #2	
LINE	BEARING & DISTANCE
FC-1	R=128.00' L=22.51' CH.S24°34'10.5"E-22.48'
FC-2	S60°23'31"W-22.57'
FC-3	R=100.00' L=83.76' CH.N42°34'05.5"W-81.33'
FC-4	S66°33'51"E-71.15'

"This site is located within the Honeygo Overlay District H and is partially located within the Bean Run Subarea and partially located within the Bird River Subarea. The site is subject to the applicable Honeygo development standards, the Honeygo Overlay District Design Guidelines the residential performance standards, as well as other Baltimore County zoning regulations and policies, pursuant to Section 259, 259.9 G, 259.9 G.3 and Section 260, BCZR. The site must comply with all of the aforementioned standards and guidelines."

DIRECTOR OF P.D.M. NOTE:
THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF P.D.M. BASED ON HIS INTERPRETATION 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 OR ANY PURPOSE OTHER THAN THAT IS INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.

CURB CUT NOTE:
THE EXACT LOCATION OF 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

CONSTRUCTION NOTES:
1. USE WELL COMPACTED FILL, SOD & PEG OR SEED MULCH & JUTE THATCHING, USE OF UNDERDRAINS TO LESSEN EFFECT OF HIGH WATER TABLE, RESULT OF BORING WILL DETERMINE IF SPECIAL DESIGN IS NECESSARY
2. FOUNDATIONS TO BE CONSTRUCTED ON CONTROL FILL, USE UNDERDRAINS TO LESSEN EFFECT ON HIGH WATER TABLE, RESULT OF BORING WILL DETERMINE IF SPECIAL DESIGN IS NECESSARY. DISTURBED AREAS TO BE SODDED OR SEEDED, MULCH AND JUTE THATCHED
3. DRIVEWAYS TO BE TAR AND CHIP AND WILL BE MAINTAINED EQUALLY BY ALL PARTIES HAVING RIGHTS TO THEIR USE BY A RECORDED COVENANTS.

DELINQUENT ACCOUNT CERTIFICATION
I, VAL MOR, INC., CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT

AUG 29 2002

APPROVAL STAMP
APPROVED BY OFFICE OF PLANNING & ZO
DIRECTOR OF PLANNING DAT
DIRECTOR OF P.D.M. DATE

PLAT TO ACCOMPANY PETITION FOR SPECIA VARIANCE AND VARIANCES
PDM FILE No. XI-864

DEVELOPMENT PLAN/FDP
OVERLOOK AT PERRY HALL

11TH. ELECTION DISTRICT
BALTIMORE COUNTY, MD.
SCALE: 1"=50'
MAR. 4, 2002
REVISED JUN. 13, 2002
REVISED JULY 3, 2002
REVISED JULY 5, 2002
REVISED AUGUST 28, 2002

SHEET 1 OF

THIS FINAL DEVELOPMENT PLAN COMPLIES WITH ALL COUNTY COMMENTS AND IS IN AGREEMENT WITH DEVELOPERS EXHIBIT 6A AND ALL OTHER APPROVED PLANS AND/OR ZONING AND DEVELOPMENT HEARING ORDERS.

STATE OF MARYLAND — JAMES D. BARRY — No. 10 — REGISTERED PROFESSIONAL ENGINEER

Site Rite Surveying, Inc
200 E. Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410)828-9060

DEVELOPER,
VAL MOR, INC.
P.O. BOX 68
REISTERSTOWN, MD. 21136
PHONE: (443) 415-8688

OWNER
JOSEPH & ANNA SCHAECH
11324 PHILADELPHIA ROAD
WHITEMARSH, MD. 21162
DEED REF. 1720/327 & 659/577
TAX ACCT. NO. 1119008800
NO. 1119008801

FRANK W. & MARY WLOCEZEWSKI
5479/131
TAX ACCT. NO. 1600014847

VINCENT J. & THERESA GIORDANO
4119/33
TAX ACCT. NO. 1107029520

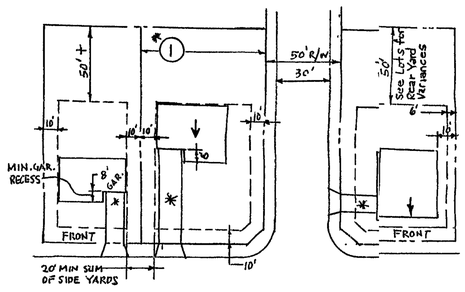
HIGHWAY WIDENING
0.419 AC.±

RUSSELL A & MARGARETA KEEFER
3293/458
TAX ACCT. NO. 1119010970

GENERAL NOTES CONTINUED FROM SHEET 1

27 BALTIMORE COUNTY 200 SCALE ZONING MAP N E 10-J
28 WETLANDS FOREST CONSERVATION WORKSHEET AND FOREST STAND DELINEATION ECO-SCIENCE PROFESSIONALS, INC
29 UTILITIES PUBLIC WATER AND SEWER WILL BE PROVIDED
30 USE THE EXISTING **USE IS** RESIDENTIAL (ALL EXISTING STRUCTURES TO BE RAZED BY THE DEVELOPER)
THE PROPOSED USE IS RESIDENTIAL (ALL SINGLE FAMILY DWELLING LOTS FOR SALE)
31 AVERAGE DAILY TRIPS AS CALCULATED FROM THE BALTIMORE COUNTY COMPREHENSIVE MANUAL OF DEVELOPMENT POLICY SINGLE FAMILY 42 UNITS X 12.5/UNIT= **525** ADTS
32 STORMWATER MANAGEMENT STORMWATER MANAGEMENT WILL CONFORM TO BALTIMORE COUNTY STANDARDS STORMWATER MANAGEMENT FACILITIES WILL BE OWNED AND MAINTAINED BY BALTIMORE COUNTY STORMWATER MANAGEMENT FACILITIES SHALL BE SCREENED FROM ADJACENT RESIDENTIAL PROPERTIES PRELIMINARY HYDROLOGY COMPUTATIONS HAVE BEEN PROVIDED TO DEPRM PRIOR TO THE FILING OF THE DEVELOPMENT PLAN
SLOPES FOR THE STORMWATER MANAGEMENT PONDS SHALL NOT EXCEED A RATIO OF 3:1 (BALTIMORE COUNTY ZONING REGULATIONS) VARIANCE REQUESTED
33 GRADING GRADING SHOWN IS SCHEMATIC ONLY
34 VEGETATION EXISTING VEGETATION WILL BE RETAINED IN AREAS NOT NEEDED FOR CONSTRUCTION OR GRADING
EXISTING VEGETATION CONSISTS OF WOODS SCRUB AREAS AND LAWN
35 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
36 SIDEWALKS SHALL BE PROVIDED ON ALL PUBLIC ROADS
37 FUTURE SIGNS SHALL CONFORM WITH BCZR SECTION 450 AND ALL ZONING POLICIES SIGNS ARE ALSO SUBJECT TO COMPLIANCE WITH SECTIONS 102.5 AND 259.9 D BCZR
38 BUILDING FOOTPRINTS SHOWN ARE FOR ILLUSTRATIVE PURPOSES ONLY AND MAY NOT REPRESENT THE ACTUAL FOUNDATION PLAN
39 ACCESSORY STRUCTURES/OPEN PROJECTIONS
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) ACCESSORY STRUCTURES ARE LIMITED BY SECTION 259.9.A.3 OPEN PROJECTIONS BY SECTION 259.9.B.4.c AND e(1) (2) AND 303.1 AND FENCES BY SECTION 259.9.C.6 IN FRONT YARDS PER SECTION 259.9.G, THE HONEYGO REGULATIONS CONTROL WHERE THERE IS CONFLICT WITH OTHER BALTIMORE COUNTY REGULATIONS
40 MAXIMUM BUILDING HEIGHT ALLOWED IS 50 FEET TWO STORY HOMES ARE GENERALLY PROPOSED
41 THE CIM WAS HELD ON DECEMBER 13 2001 THE MINUTES WHICH IDENTIFY ALL CAN BE FOUND IN PDM FILE NO XI-884 ON FILE IN ROOM 123 OF THE BALTIMORE COUNTY OFFICE BUILDING 111 WEST CHESAPEAKE AVENUE, TOWSON, MD 21204
42 THERE ARE NO KNOWN LIMITATIONS ESTABLISHED BY THE COURTS COUNTY BOARDS OF APPEALS PLANNING BOARD OR ZONING COMMISSIONER OR RESTRICTIVE COVENANTS RECORDED WITH INDIVIDUALS OR GROUPS WHICH WOULD LIMIT PROPOSED DEVELOPMENT ON SITE
43 A HYDROGEOLOGICAL REPORT AND AN ENVIRONMENTAL EFFECTS REPORT HAS BEEN FILED CONCURRENTLY WITH THIS DEVELOPMENT PLAN
44 A PRELIMINARY FOREST CONSERVATION PLAN AND WORKSHEET HAVE BEEN FILED INDEPENDENTLY OF THIS PLAN IN ACCORDANCE WITH SECTION 14-408
45 THE PROPERTY IS LOCATED PARTIALLY IN THE BEAN RUN SUBAREA AND PARTIALLY IN THE BIRD RIVER SUBAREA ALL HONEYGO DENSITY AND AREA STANDARDS WILL BE MET OR SUBJECT TO A PUBLIC ZONING HEARING
46 ALL PROPOSED ROADS ARE PUBLIC
ALL ROADS AND EASEMENTS 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
47 THE HONEYGO OVERLAY DESIGN GUIDELINES WERE ADOPTED BY THE COUNTY COUNCIL ON MARCH 17 1997
48 THE PROPOSED DWELLING AND DEVELOPMENT WILL BE CONSISTENT WITH THE DESIGN GUIDELINES OF THE HONEYGO OVERLAY DISTRICT DESIGN GUIDELINES MANUAL AND OTHER DESIGN MANUALS SUCH AS THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP) AND THE COUNTY LANDSCAPE MANUAL
49 REFUSE COLLECTION AND MAIL DELIVERY WILL BE BY BALTIMORE COUNTY AT CURBSIDE (FRONT)
50 THERE ARE NO RESIDENTIAL TRANSITION AREAS
51 DEVELOPER IS RESPONSIBLE FOR ENSURING THAT BALTIMORE COUNTY IS GRANTED ADEQUATE ACCESS TO ALL FOREST CONSERVATION RESERVATION AREAS
52 A LANDSCAPE PLAN MUST BE APPROVED BY BALTIMORE COUNTY PRIOR TO ISSUANCE OF A BUILDING PERMIT
53 PARKING IS ALSO SUBJECT TO COMPLIANCE WITH SECTION 259.9 F BCZR
54 PARKING REQUIRED 2 SPACES X 42 LOTS = 84 SPACES

DEPRM RELIEF REQUEST
STORMWATER MANAGEMENT POND SIDE SLOPES TO EXCEED 3:1 SLOPES UNDER SECTION 259.9.C.8 2:1 SLOPES INSIDE POND IN LIEU OF 3:1 SLOPES
FOREST CONSERVATION NOTE.
2.44c ± OF RESTORATION WILL BE ADDRESSED THROUGH THE PURCHASE OF CREDIT FROM A DEPRM APPROVED FOREST RETENTION BANK.



Typical Lot Layout (not to scale)
Note: Philadelphia Road is an Arterial Road. Interior Road is Neighborhood Street
*Per Section 409: offstreet parking for pads in front of garages to be a minimum of 18 feet long.

*All driveways will comply with Section 409.4 (BCZR) All parking and maneuvering areas will be paved ( ) The Developer will be responsible for paving driveways.

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 (See Sections 259.9.G.1 through 259 9.G 4 below) of this section.
Section 259 9.A.3 (Bill No. 73-1999)
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.
Section 259 9.B.1 (Bill No. 40-1997,73-1999)
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.
Section 259.9.B 3 (Bill No. 40-1997,73-1999)
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.
Section 259 9.B 4 (Bill No. 40-1997,73-1999)
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,
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.
Section 259.9 C 3 (Bill No 73-1999)
a Except for properties with approved development plans or CRG plans (vested prior to September 13,1999 in accordance with Section 103.1), which shall be allowed front entry garages in accordance with the regulations in effect prior to January 14,1995 (see 1992 CMDP), 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.
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.
Section 259.9 C 4 (Bill Nos. 40-1997, 73-1999)
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.
Section 259.9 C 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.
Section 259 9.C.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.
Section 259 9 C.7
Roofs shall be pitched in accordance with the Honeygo Overlay District Design Guidelines.
Section 259.9.C 8
Stormwater management pond slopes, where management is not provided through a regional facility, shall not exceed a ratio of 3:1
Section 259.9 C.9
Rooftop equipment shall be screened so it is not visible from the ground level of adjacent buildings.
Section 259 9 G 1
The provisions of this section (Section 259 9,BCZR) shall govern in any situation where there is a conflict between this section (Section 259 9, BCZR) and other regulations
Section 259.9.G 2
Where the provisions of this section (Section 259.9,BCZR) are silent, the provisions of these regulations governing the underlying zone shall apply.
Section 259 9 G 3 (Bill No. 40-1997)
In addition to the requirements of this section, residential and commercial development in the area shall be subject to the Honeygo Overlay District Design Guidelines.
Section 259 9 G 4
Notwithstanding the provisions of Section 26-216 of the Baltimore County Code, 1988 Edition, as revised, the provisions of this section (Section 259.9,BCZR) do not apply to any property with an unexpired CRG plan that was approved prior to May 18,1992.

OPEN SPACE IS ALSO SUBJECT TO COMPLIANCE WITH SECTION 259.9 E, BCZR

"All Local Open Space shall be in compliance with the Local Open Space Manual, Latest Edition"
"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 October 1, 1990

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 (PU) = 1 major deciduous tree or
2 minor deciduous trees or
2 evergreen trees or
5 shrubs or
500 SF of ground cover or
20 ornamental grasses

		REQUIRED:	PROPOSED:
ADJACENT ROAD:	1 PU/40 LF Min 75% major deciduous	470 LF 12 P.U.	12 P.U.
INTERIOR ROAD:	1 PU/20 LF Min 75% major deciduous	4770 LF 239 P.U.	239 P.U.
SCREEN OF SIDE & REAR	Class 'A' screen 1 PU/15 LF Min 5' Ht. at maturity Min 30" Ht. at installation	1040 LF 70 P.U.	70 P.U.
STORMWATER MANAGEMENT:	If side slopes are > 4:1 class 'A' screen 1 PU/15 LF Min 5' Ht. at maturity Min 30" Ht. at installation	280 LF 19 P.U.	19 P.U.
	TOTAL:	340 P.U.	340 P.U.

SOIL LIMITATIONS

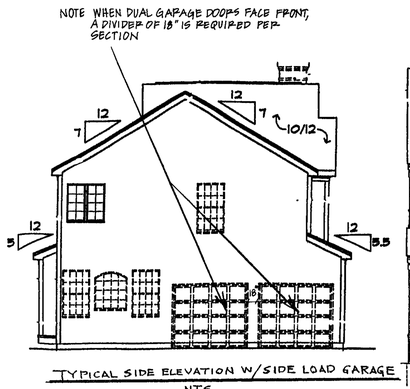
Symbol		Class	Basements	Roads
BtB	Beltsville	C	Moderate	Moderate
ChB2	CHILLUM	C	SLIGHT	MODERATE
Lr	Leonardtown	D	Severe	Severe
ChC2	CHILLUM	C	SLIGHT	SEVERE
LnC 3	Lenoir	D	Severe	Severe

RESIDENTIAL BUILDING SETBACKS- D.R. ZONES
HONEYGO OVERLAY DISTRICT D.R.3.5H

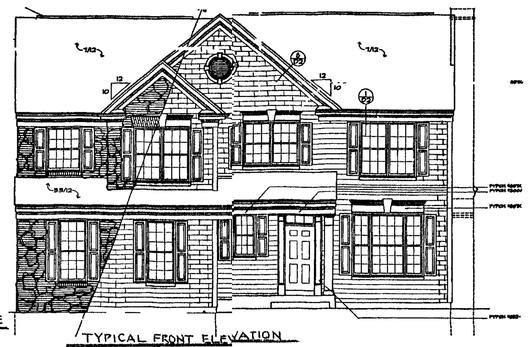
From building face to: right-of-way of a collector street, neighborhood street, alley or court (not applied to porches or stoops in front yard)	10'
From building face to right-of-way of a major or minor arterial or collector road. (not applied to porches or stoops in front yard)	40'
From building face to: FRONT PROPERTY LINE (NOT A STREET) 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)	25' 30'
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')
Front entry garage shall be recessed behind the front facade of the dwelling	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.	
SIDE BLDG FACE TO SIDE BLDG FACE	(<20') 16' OF SEPARATION (720') 20'

LEGEND

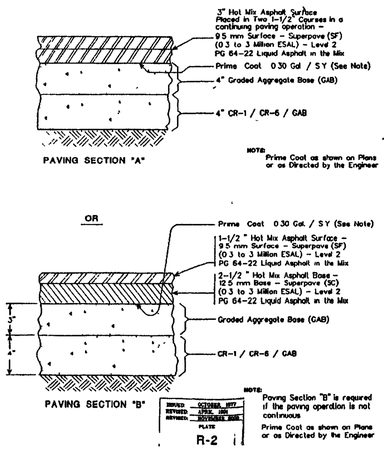
EXISTING: TRACT BOUNDARY, INTER. CONTOUR, FIRE HYDRANT, ROAD, ZONING LINE, SOILS, LIGHT, EASEMENT, TREES, UTILITY POLE, INDEX CONTOUR, WETLANDS, WETLANDS
PROPOSED: FOREST BUFFER EASEMENT, FIRE HYDRANT, LIGHT, INDEX CONTOUR, SANITARY SEWER, INTER. CONTOUR, STORM DRAIN, ADT, WATER

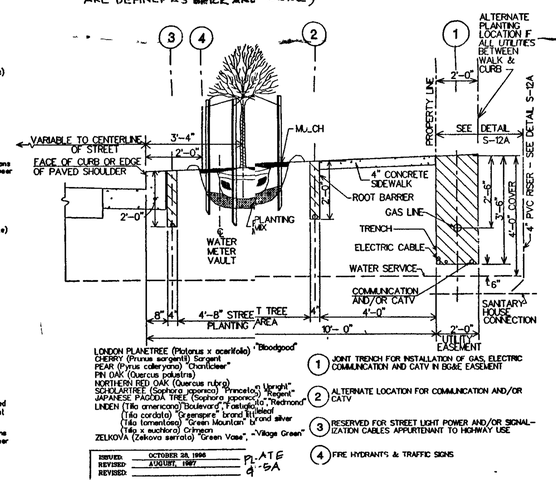


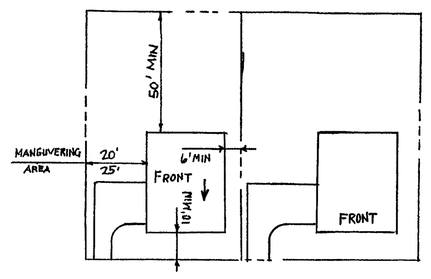
TYPICAL SIDE ELEVATION W/SIDE LOAD GARAGE
NTS
(MUST COMPLY WITH SECTION 259.9.C.3.a & b)
(DIVIDER REQUIRED WHEN DOORS FACE PUBLIC RIGHT OF WAY)



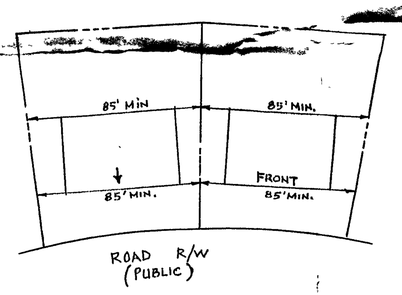
TYPICAL FRONT ELEVATION
NTS
(MUST COMPLY WITH SECTION 259.9.C.4 AND C 5 APPROVED MATERIALS ARE DEFINED AS BRICK AND STONE.)







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



Typical Building Envelope per Section 259.9.B.3
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 accordance with the diagram above.

Envelopes or typical dwellings as shown dictate a specific location and orientation which is intended to allow compliance with the Baltimore County Zoning Regulations, the CMDP, and zoning policies Should the final location and orientation of the proposed dwellings create conflicts with the regulations or policies, the location and orientation must be changed to alleviate the conflict" **Failure to comply with the preceding may necessitate the need for variances prior to final zoning approval**

This Development Plan is approved by the Director of P.D.M., based upon his interpretation 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 or any purpose other than that indicated presently on said Plan Utilization will have occurred when a dwelling is constructed and transferred for purpose of occupancy.

APPROVAL STAMP
APPROVED BY OFFICE OF PLANNING & ZONING
DIRECTOR OF PLANNING DATE
DIRECTOR OF P.D.M DATE

PLAT TO ACCOMPANY PETITION FOR SPECIAL VARIANCES AND VARIANCES
&
DEVELOPMENT PLAN/F.D.P.
PDM FILE NO. XI-884
"OVERLOOK AT PERRY HALL"
ELECTION DISTRICT NO. 11
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50' MARCH 5,2002
SHEET 2 OF 2
REVISED JUNE 13 2002
REVISED Aug. 28, 2002
REVISED JULY 29, 2002
REVISED JULY 3 2002

"THIS SITE IS LOCATED WITHIN THE HONEYGO OVERLAY DISTRICT H AND IS PARTIALLY LOCATED WITHIN THE BEAN RUN SUBAREA AND PARTIALLY LOCATED WITHIN THE BIRD RIVER SUBAREA. THE SITE IS SUBJECT TO THE APPLICABLE HONEYGO DEVELOPMENT STANDARDS, THE HONEYGO OVERLAY DISTRICT DESIGN GUIDELINES, THE RESIDENTIAL PERFORMANCE STANDARDS, AS WELL AS OTHER BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES, PURSUANT TO SECTION 259, 259.9.G.3 AND SECTION 260, BCZR. THE SITE MUST COMPLY WITH ALL OF THE AFOREMENTIONED STANDARDS AND GUIDELINES."

This Final Development Plan complies with all County comments and is in agreement with Developer's Exhibit 1A and all other approved plans and/or zoning and development hearing orders.

STATE OF MARYLAND JOHN WILLIAM HESSIAN, III 10731 REGISTERED PROPERTY LINE SURVEYOR

DEVELOPER:
VAL MOR, INC.
P.O. BOX 68
REISTERSTOWN, MD 21136
(443)415-8688

OWNER:
JOSEPH AND ANNA SCHAECH
11324 PHILADELPHIA ROAD
WHITE MARSH, MD 21162
DEED REF.: 1720/327 & 6591/577
TAX ACCT. NO. 1119008800
1119008801

IN RE: DEVELOPMENT PLAN & PETITION FOR VARIANCE and SPECIAL VARIANCE
NW/S Old Philadelphia Road, W of c/l of Holter Road
Overlook at Perry Hall
11th Election District
5th Councilmanic District
Valmor, Inc., Contract Purchaser

BEFORE THE
HEARING OFFICER/
ZONING COMMISSIONER
FOR
BALTIMORE COUNTY
Case Nos. XI-884 and 02-518-SPVA-H

ORDER OF REMAND

Upon consideration of the Motion for Reconsideration Remand filed by Valmor, Inc. and upon reconsideration of the July 23, 2002 Order issued in this case and in light of the intent of Valmor, Inc. to submit a revised development plan eliminating previously proposed rear yard and lot width variances, it is this 24th day of August, 2002, by the Hearing Officer/Zoning Commissioner for Baltimore County,

ORDERED that the above-referenced matter is hereby remanded for further consideration at a Development Plan Conference after submission by Valmor, Inc of the required number of copies of a revised development plan for the subject property; and it is

FURTHER ORDERED, that no additional Community Input Meeting need be held on the revised development plan but that Valmor, Inc shall mail to all attendees of the original Hearing Officer's Hearing a copy of the revised development plan and notice of the date and time of the Development Plan Conference and subsequent Hearing Officer's Hearing.

LAWRENCE E SCHMIDT
Zoning Commissioner/Hearing Officer for Baltimore County

EXCEPTS 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

2 Institutional uses are subject to the bulk and area requirements of the underlying zone

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,

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.1,

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

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.

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.

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

G Application

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

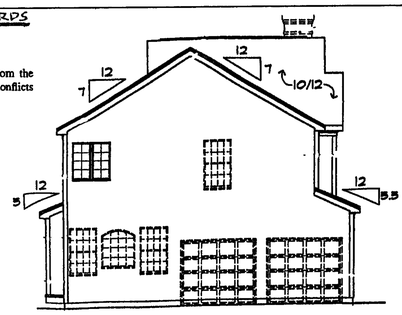
2 Where the provisions of this section are silent, the provisions of these regulations governing the underlying zone shall apply.

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]**

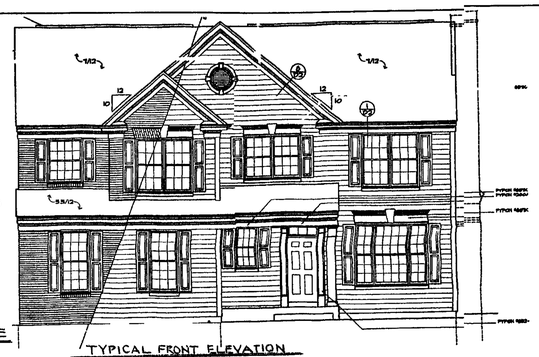
4 Notwithstanding the provisions of Section 26-216 of the Baltimore County Code, 1988 Edition, as revised, the provisions of this section do not apply to any property with an unexpired CRG plan that was approved prior to May 18, 1992

THIS FINAL DEVELOPMENT PLAN COMPLIES WITH ALL COUNTY COMMENTS AND IS IN AGREEMENT WITH DEVELOPERS EXHIBIT 1A AND ALL OTHER APPROVED PLANS AND/OR ZONING AND DEVELOPMENT HEARING ORDERS.

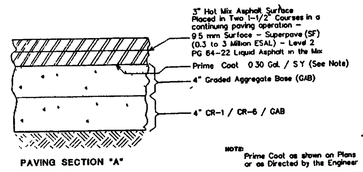
Site Rite Surveying, Inc
200 E Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410)828-9060



TYPICAL SIDE ELEVATION W/SIDE LOAD GARAGE
NTS
(MUST COMPLY WITH SECTION 259.9.C.3.a & b)
(DIVIDER REQUIRED WHEN DOORS FACE PUBLIC RIGHT OF WAY)



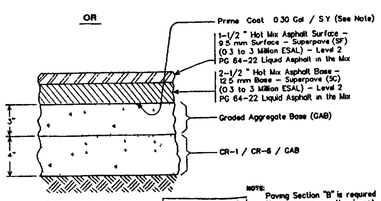
TYPICAL FRONT ELEVATION
NTS
(MUST COMPLY WITH SECTION 259.9.C.4 AND C.5 APPROVED MATERIALS ARE DEFINED AS BRICK AND STONE.)



PAVING SECTION "A"

NOTE: Prime Coat as shown on Plans or as Directed by the Engineer

OR



PAVING SECTION "B"

NOTE: Paving Section "B" is required if the paving operation is not continuous
Prime Coat as shown on Plans or as Directed by the Engineer

ISSUED: OCTOBER, 1997
APPROVED:
REVISED:
PLATE
R-2

RESIDENTIAL BUILDING SETBACKS- D.R. ZONES HONEYGO OVERLAY DISTRICT D.R.3.5H

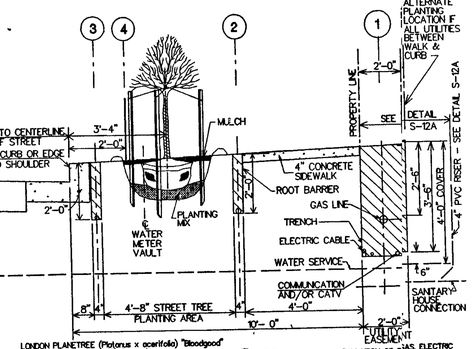
From building face to: right-of-way of a collector street, neighborhood street, alley or court (not applied to porches or stoops in front yard)	10'
From building face to right-of-way of a major or minor arterial or collector road (not applied to porches or stoops in front yard)	40'
From building face 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'
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')
Front entry garage shall be recessed behind the front facade of the dwelling.	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

LEGEND

EXISTING: TRACT BOUNDARY, ZONING LINE, EASEMENT, INDEX CONTOUR, INTER. CONTOUR, SOILS, TREES, WETLANDS, FIRE HYDRANT, LIGHT, UTILITY POLE, WETLANDS, ROAD

PROPOSED: FOREST BUFFER EASEMENT, INDEX CONTOUR, INTER. CONTOUR, FIRE HYDRANT, SANITARY SEWER, STORM DRAIN, WATER, LIGHT



LONDON PLANETREE (Platanus x acerifolia) "Bloodgood"
CHERRY (Prunus serrulata) Sargent
PEAR (Pyrus calleryana) "Chanticleer"
PIN OAK (Quercus palustris)
NORTHERN RED OAK (Quercus rubra)
SCHOLARTREE (Sophora japonica) "Princeton Upright"
JAPANESE PAGODA TREE (Sophora japonica) "Regent"
LINDEN (Tilia americana) Boulevard, Fastigiata", Redmond"
(Tilia cordata) "Greenspire" brand, Littleleaf
(Tilia tomentosa) "Green Mountain" brand silver
(Tilia x euchlora) Crimean
ZELKOVA (Zelkova serrata) "Green Vase", "Village Green"

1. JOINT TRENCH FOR INSTALLATION OF GAS, ELECTRIC COMMUNICATION AND CATV IN BGE&E EASEMENT
2. ALTERNATE LOCATION FOR COMMUNICATION AND/OR CATV
3. RESERVED FOR STREET LIGHT POWER AND/OR SIGNALIZATION CABLES APPURTENANT TO HIGHWAY USE
4. FIRE HYDRANTS & TRAFFIC SIGNS

ISSUED: OCTOBER 28, 1998
REVISED: AUGUST, 1997
REVISED:
PLATE
G-5A

"All Local Open Space shall be in compliance with the Local Open Space Manual, Latest Edition"
"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 October 1, 1990

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.

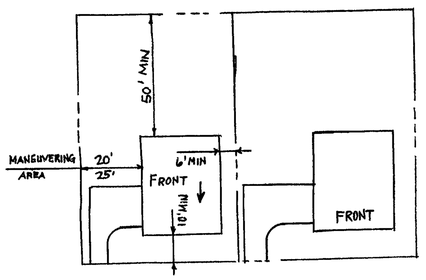
1 Planting Unit (P.U.) = 1 major deciduous tree or 2 minor deciduous trees or 2 evergreen trees or 5 shrubs or 500 S.F. of ground cover or 20 ornamental grasses

		REQUIRED:	PROPOSED:
ADJACENT ROAD:	1 P.U./40 L.F. Min. 75% major deciduous	470 L.F. / 12 P.U.	12 P.U.
INTERIOR ROAD	1 P.U./20 L.F. Min. 75% major deciduous	4770 L.F. / 239 P.U.	239 P.U.
SCREEN OF SIDE & REAR:	Class 'A' screen 1 P.U./15 L.F. Min. 5' Ht. at maturity Min. 30" Ht. at installation	1040 L.F. / 70 P.U.	70 P.U.
STORMWATER MANAGEMENT:	If side slopes are > 4:1, class 'A' screen 1 P.U./15 L.F. Min. 5' Ht. at maturity Min. 30" Ht. at installation	280 L.F. / 19 P.U.	19 P.U.
	TOTAL:	340 P.U.	340 P.U.

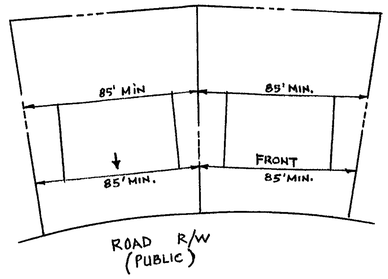
SOIL LIMITATIONS

Symbol		Class	Basements	Roads
BtB	Bettsville	C	Moderate	Moderate
ChB2	CHILLUM	C	SLIGHT	MODERATE
Lr	Leonardtown	D	Severe	Severe
ChC2	chillum	C	SLIGHT	SEVERE
LnC3	Lenoir	D	Severe	Severe

ZONING VARIANCE REQUEST
ZV-1 VARIANCE FROM THE THRESHOLD LIMITS CONTAINED IN THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR) SECTION 259.7 PURSUANT TO BCZR SECTION 259.8 AND BCZR SECTION 4A02.4.F, TO PERMIT THE ISSUANCE OF BUILDING PERMITS FOR CONSTRUCTION PURSUANT TO THE OVERLOOK AT PERRY HALL DEVELOPMENT PLAN
ZV-2 VARIANCE FROM BCZR SECTION 259.9.B.3 TO PERMIT LOT WIDTHS OF 64 FEET TO 80 FEET LOT NUMBERS 1 TO 7, 12 TO 20, 23 TO 28, 33 TO 35, 37 TO 41 AND 44 TO 47, AS MEASURED ALONG BOTH THE FRONT WALL AND REAR WALL OF THE DWELLING UNITS IN LIEU OF THE REQUIRED 85 FEET
ZV-3 VARIANCE FROM BCZR SECTION 259.8.A.c TO ALLOW REAR YARD OF 34 FEET IN LIEU OF THE REQUIRED 50 FEET FOR LOT NUMBERS 1 TO 10, 12 TO 26, 29 TO 38 AND 40 TO 47, REAR YARD OF 43' IN LIEU OF REQUIRED 50 FEET FOR LOT 11
ZV-4 VARIANCE FROM BCZR SECTION 259.9.C.3 TO ALLOW ZERO (0) FOOT SETBACK FROM FRONT LINE PROJECTION OF HOUSE FOR FRONT ENTRY GARAGE IN LIEU OF THE REQUIRED 8 FEET RECESS FOR LOT NUMBERS 44,45 AND 46

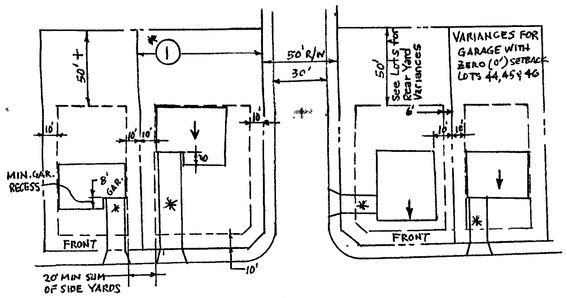


PROPOSED TYPICAL SIDE ENTRY GARAGE LOT LAYOUT DETAIL
N.T.S.



TYPICAL BUILDING ENVELOPE PER SECTION 259.9.B.3

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 accordance with The Diagram above. Also note that the minimum width for lots with circled numbers (1) VARY BETWEEN 65'-80', These lots are LOT NUMBERS: 1 to 7; 12 to 20; 23 to 28; 33 to 35; 37 to 41; 44 to 47.



TYPICAL LOT LAYOUT
NTS

NOTE: OLD PHILADELPHIA ROAD IS ARTERIAL ROAD. INTERIOR ROAD ARE NEIGHBORHOOD STREETS.
* PER SECTION 409: OFFSTREET PARKING FOR PADS IN FRONT OF GARAGES TO BE A MINIMUM OF 18 FEET LONG.

GENERAL NOTES CONTINUED

23 BALTIMORE COUNTY 200' SCALE ZONING MAP N.E. 10-J
24 WETLANDS, FOREST CONSERVATION WORKSHEET AND FOREST STAND DELINEATION ECO-SCIENCE PROFESSIONALS, INC
25. UTILITIES PUBLIC WATER AND SEWER WILL BE PROVIDED
26 USE THE EXISTING USE IS RESIDENTIAL
THE PROPOSED USE IS RESIDENTIAL
27 AVERAGE DAILY TRIPS AS CALCULATED FROM THE BALTIMORE COUNTY COMPREHENSIVE MANUAL OF DEVELOPMENT POLICY SINGLE FAMILY = 47 UNITS X 10/UNIT = 470 ADTS
28 STORMWATER MANAGEMENT STORMWATER MANAGEMENT WILL CONFORM TO BALTIMORE COUNTY STANDARDS.
STORMWATER MANAGEMENT FACILITIES WILL BE OWNED AND MAINTAINED BY BALTIMORE COUNTY
STORMWATER MANAGEMENT FACILITIES SHALL BE SCREENED FROM ADJACENT RESIDENTIAL PROPERTIES.
PRELIMINARY HYDROLOGY COMPUTATIONS HAVE BEEN PROVIDED TO DEPRM PRIOR TO THE FILING OF THE DEVELOPMENT PLANS
SLOPES FOR THE STORMWATER MANAGEMENT PONDS SHALL EXCEED A RATIO OF 3:1 (BALTIMORE COUNTY ZONING REGULATIONS) VARIANCE REQUESTED
29 GRADING GRADING SHOWN IS SCHEMATIC ONLY
30 VEGETATION EXISTING VEGETATION WILL BE RETAINED IN AREAS NOT NEEDED FOR CONSTRUCTION OR GRADING
EXISTING VEGETATION CONSISTS OF WOODS SCRUB AREAS AND LAWN
31 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
32 STORAGE TANKS THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS ON SITE.
33 SIDEWALKS SHALL BE PROVIDED ON ALL PUBLIC ROADS
34 FUTURE SIGNS SHALL CONFORM WITH BCZR SECTION 450 AND ALL ZONING POLICIES
35. BUILDING FOOT PRINTS SHOWN ARE FOR ILLUSTRATIVE PURPOSES ONLY AND MAY NOT REPRESENT THE ACTUAL FOUNDATION PLAN
ACCESSORY STRUCTURES/OPEN PROJECTIONS
36. 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.) ACCESSORY STRUCTURES ARE LIMITED BY SECTION 259.9.A.3 OPEN PROJECTIONS BY SECTION 259.9.B.4.c AND a(1) (2) AND 303.1, AND FENCES BY SECTION 259.9.C.6. IN FRONT YARDS PER SECTION 259.9.G. THE HONEYGO REGULATIONS CONTROL WHERE THERE IS CONFLICT WITH OTHER BALTIMORE COUNTY REGULATIONS
37 MAXIMUM BUILDING HEIGHT ALLOWED IS 50 FEET TWO STORY HOMES ARE GENERALLY PROPOSED
38. THE CIM WAS HELD ON DECEMBER 13,2001 THE MINUTES WHICH IDENTIFY ALL CAN BE FOUND IN PDM FILE NO. XI-884, ON FILE IN ROOM 123 OF THE BALTIMORE COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVENUE, TOWSON, MD 21204
39 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 SITE
40 A HYDROGEOLOGICAL REPORT AND AN ENVIRONMENTAL EFFECTS REPORT HAS BEEN FILED CONCURRENTLY WITH THIS DEVELOPMENT PLAN
41 A PRELIMINARY FOREST CONSERVATION PLAN AND WORKSHEET HAVE BEEN FILED INDEPENDENTLY OF THIS PLAN IN ACCORDANCE WITH SECTION 14-408
42 THE PROPERTY IS LOCATED IN THE BEAN RUN SUBAREA. ALL HONEYGO DENSITY AND AREA STANDARDS WILL BE MET OR SUBJECT TO A PUBLIC ZONING HEARING
43 ALL PROPOSED ROADS ARE PUBLIC.
ALL ROADS AND EASEMENTS 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
44 THE HONEYGO OVERLAY DESIGN GUIDELINES WERE ADOPTED BY THE COUNTY COUNCIL ON 3-17-97.
45. ALL DWELLINGS WILL MEET THE STANDARDS SET FORTH IN SECTION 259.9.A.3 OF BCZR AND THE HONEYGO OVERLAY DISTRICT GUIDELINES (SEE "EXCERPTS", THIS SHEET)
46 REFUSE COLLECTION AND MAIL DELIVERY WILL BE BY BALTIMORE COUNTY AT CURBSIDE (FRONT).
47 THERE ARE NO RESIDENTIAL TRANSITION AREAS
48 DEVELOPER IS RESPONSIBLE FOR ENSURING THAT BALTIMORE COUNTY IS GRANTED ADEQUATE ACCESS TO ALL FOREST CONSERVATION EASEMENT AREAS
49 THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PDM BASED ON HIS INTERPRETATION 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 BEE UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN HEREON SHALL NOT BE FURTHER DIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY
50 A LANDSCAPE PLAN MUST BE APPROVED BY BALTIMORE COUNTY PRIOR TO THE ISSUANCE OF A BUILDING PERMIT

TABLE A.

Lot No.	Requested Width	Lot No.	Requested Width	Lot No.	Requested Width	Lot No.	Requested Width
1	77'	14	80'	25	80'	39	70'
2	80'	15	80'	26	80'	40	68'
3	80'	16	80'	27	65'	41	75'
4	80'	17	80'	28	75'	44	70'
5	80'	18	80'	33	80'	45	70'
6	75'	19	80'	34	80'	46	70'
7	65'	20	80'	35	80'	47	79'
12	80'	23	80'	37	74'		
13	80'	24	80'	38	70'		

DEPRM RELIEF REQUEST
STORMWATER MANAGEMENT POND SIDE SLOPES TO EXCEED 3:1 SLOPES UNDER SECTION 259.9.C.8. 2:1 SLOPES INSIDE POND IN LIEU OF 3:1 SLOPES
FOREST CONSERVATION NOTE
2.4 AC.± OF RESTORATION WILL BE ADDRESSED THROUGH THE PURCHASE OF CREDIT FROM A DEPRM APPROVED FOREST RETENTION BANK.

This Development Plan is approved by the Director of P.D.M. based upon his interpretation 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 or any purpose other than that indicated presently on said Plan. Utilization will have occurred when a dwelling is constructed and transferred for purpose of occupancy

APPROVAL STAMP

APPROVED BY OFFICE OF PLANNING & ZONING

DIRECTOR OF PLANNING — DATE

DIRECTOR OF P.D.M. — DATE

PLAT TO ACCOMPANY PETITION FOR SPECIAL VARIANCE AND VARIANCES
SHEET 2 OF 2

DEVELOPER,
VAL MOR, INC.
P.O. BOX 68
REISTERSTOWN, MD. 21136
PHONE: (410) 925-8919

OWNER
JOSEPH & ANNA SCHAECH
11324 PHILADELPHIA ROAD
WHITEMARSH, MD. 21162
DEED REF 1720/327 & 659/577
TAX ACCT. NO. 1119008800
NO. 1119008801

PDM FILE Nº XI-884

DEVELOPMENT PLAN/FDP
OVERLOOK AT PERRY HALL

11TH. ELECTION DISTRICT
BALTIMORE COUNTY, MD.
SCALE: 1"=50'
MAR. 5, 2002

"This site is in the HONEYGO OVERLAY DISTRICT H and is within the BEAN RUN SUBAREA and is subject to the HONEYGO OVERLAY DISTRICT APPLICABLE HONEYGO AREA REGULATIONS, as well as other BALTIMORE COUNTY ZONING REGULATIONS."

SHEET 2 OF 2

SUMMARY OF WATER QUALITY MANAGEMENT AND GENERAL STORAGE REQUIREMENTS FOR THE OVERLOOK AT PERRY HALL STORMWATER MANAGEMENT POND

Storage Type	Volume Required (Ac-Ft)	Comments
Water Quality Volume WQ_v (Natural Area) =	0 2358	Total WQ_v requirement
WQ_v (Forebay)[1]	0 0355	Minimum forebay volume required
WQ_v (Pond Req'd)[2]	0 2603	Minimum pond volume required
Recharge Volume (Re_v)	0 0454	Volume is included in WQ_v storage within the pond
Channel Protection Volume (Cp_v)	0 7185	C_{Pv} release rate is 0.48 cfs
Overbank Flood Protection Volume (Q_p)	0 272	Q_{p10} provided, Q_{p10} is/are safely conveyed
Extreme Flood Volume (Q_f)	N/A	Q_{p100} is/are safely conveyed

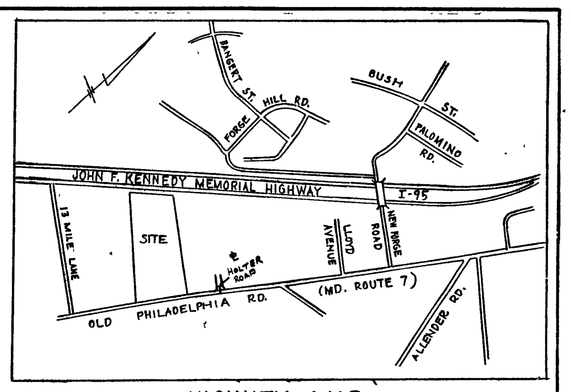
STORMWATER MANAGEMENT SUMMARY TABLE

Storm Event	Inflow Rate (CFS)	Total Outflow Rate (CFS)	Elevation Reached (Feet)	Storage Volume Required (Ac-Ft)	Storage Volume Provided (Ac-Ft)
2 YEAR	14 54	6 14	5 97	0 1937	8,439
10 YEAR	20 76	9 73	10 35	0 2717	11,835
100 YEAR	41 46	22 68	NA*	0 5244	22,842
200 YEAR	84 23	37 54	NA*	0 7865	34,393

* Quantity control is not required for the 10-year and 100-year storm events for the site

STORMWATER MANAGEMENT RESERVATION

LINE	BEARING & DISTANCE	LINE	BEARING & DISTANCE
SW-1	N17°44'29" W- 44.00'	SW-8	R= 57.00' L= 87.22' CH. S77°39'36.5"E- 78.86'
SW-2	R= 123.00' L= 64.33' CH. N32°05'55"W- 63.60	SW-9	S17°24'39"W - 19.65'
SW-3	N02°10'10"W - 69.50'	SW-10	S39°52'37"E- 51.47'
SW-4	N33°45'10"E - 64.50	SW-11	R= 26.50' L= 43.09' CH. S06°42'35"W- 38.50'
SW-5	S86°14'50"E - 10.39'	SW-12	S23°26'38"E - 15.24'
SW-6	N33°45'10"E- 53.00'	SW-13	S46°56'45"W- 230.38'
SW-7	N58°35'12" E- 43.00		



VICINITY MAP
SCALE: 1"=1000'

FOREST BUFFER EASEMENT & FOREST CONSERVATION EASEMENT

STANDARD NON-DISTURBANCE NOTE:
"THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT."

PROTECTIVE COVENANTS NOTE:
"ANY FOREST BUFFER EASEMENT 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.

SPECIMEN TREE NOTE :
"THERE SHALL BE NO SOIL COMPACTION, CLEARING, GRADING, BURNING, INTRODUCTION OF CHEMICALS, CONSTRUCTION OR OTHER DISTURBANCE DETRIMENTAL TO THE LIVE SPECIMEN TREE (S) OR CRITICAL ROOT ZONE FOR THIS (THESE) TREES EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPRM."

FOREST BUFFER EASEMENT			
LINE	BEARING & DISTANCE	LINE	BEARING & DISTANCE
FB-1	S53°38'08"E - 20.49'	FB-6	S30°44'02"E- 17.18'
FB-2	R= 80.00' L= 71.86' CH. S27°54'12"E- 69.47'	FB-7	S 68°33'51"E- 68.53'
FB-3	S02°10'10"E - 90.60'	FB-8	R=100.00' L= 194.79' CH S13°37'29"E- 157.40'
FB-4	R=123.00' L= 64.33' CH S32°05'55"E- 63.60	FB-9	N64°34'32"W- 537.88'
FB-5	S17°44'29"E - 82.48'	FB-10	N44°51'31"E- 373.45'

FOREST CONSERVATION RESERVATION #2	
LINE	BEARING & DISTANCE
FC-1	R= 128.00' L= 22.51' CH. S24°34'10.5"E- 22.48'
FC-2	S60°23'31"W - 22.57'
FC-3	R=100.00' L= 83.76' CH. N 42°34' 05.5"W- 81.33'
FC-4	S66°33'51"E - 71.15'

GENERAL NOTES

1. TOTAL GROSS AREA : 17.65 AC ±
2. EXISTING ZONING : DR 3.5 H (MAP NE 10 J) DR 2H
3. NO. LOTS ALLOWED 61 (35×17.2 + 2×04) = 61
4. NO. OF LOTS PROPOSED : 47 FOR SALE (S.F.D.)
5. COUNCILMANIC DISTRICT : 5
6. CENSUS TRACT : 4113.02
7. WATERSHED : GUNPOWDER FALLS
8. REGIONAL PLANNING DISTRICT: 317 B
9. SCHOOL DISTRICT- 143
10. SOIL MAP REF. 37
11. DEED REF. 1720/327 & 659/577
12. TAX ACCT. NO. 1119008800 & 1119008801
13. TAX MAP : 73 BLOCK 7 PARCEL 312 & 313
14. THIS PROPERTY, AS SHOWN ON THIS PLAN, HAS BEEN HELD INTACT SINCE DEC. 18, 48. 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.
15. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
16. PUBLIC WATER EXTENSION IS NEEDED FOR THIS PROJECT.
17. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO SEPTIC SYSTEMS OR UNDERGROUND TANKS ON THIS PROPERTY.
18. DRAINAGE AND UTILITY EASEMENTS SHOWN ARE ALL PUBLIC UNLESS OTHERWISE NOTED.
19. PUBLIC SEWER AND WATER FACILITIES ARE AVAILABLE TO THIS SITE.
20. L.O.S. REQUIRED - ACTIVE 30,550 SQ FT. PASSIVE 16,450 SQ.FT. PROVIDED ACTIVE- 30,550 SQ.FT. PASSIVE - 17,347 SQ.FT.
21. SUB SEWERSHED BEAN RUN WATERSHED
22. THIS WILL BE A COMBINED DEVELOPMENT AND FINAL DEVELOPMENT PLAN.
23. SEE CONTINUATION OF GENERAL NOTES.

DIRECTOR OF P.D.M. NOTE
THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF P.D.M. BASED ON HIS INTERPRETATION 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 OR ANY PURPOSE OTHER THAN THAT IS INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.

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).

CURB CUT NOTE:
THE EXACT LOCATION OF 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.

CONSTRUCTION NOTES:
1. *USE WELL COMPACTED FILL, SOD & PEG OR SEED MULCH & JUTE THATCHING, USE OF UNDERDRAINS TO LESSEN EFFECT OF HIGH WATER TABLE, RESULT OF BORING WILL DETERMINE IF SPECIAL DESIGN IS NECESSARY*
2. *FOUNDATIONS TO BE CONSTRUCTED ON CONTROL FILL. USE UNDERDRAINS TO LESSEN EFFECT ON HIGH WATER TABLE, RESULT OF BORING WILL DETERMINE IF SPECIAL DESIGN IS NECESSARY. DISTURBED AREAS TO BE SODDED OR SEEDED, MULCH AND JUTE THATCHED.*
3. *DRIVEWAYS TO BE TAR AND CHIP AND WILL BE MAINTAINED EQUALLY BY ALL PARTIES HAVING RIGHTS TO THEIR USE BY A RECORDED COVENANTS.*

DELINQUENT ACCOUNT CERTIFICATION
I, VAL MOR, INC CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT

JOHN F. KENNEDY MEMORIAL HIGHWAY
I-95
DR 3.5H
DR 2H
E 1475000
N 633000
E 1475000
N 632000
N 44°48'31"E
269.00'
FB-10
582.49'
189.00'
FB-1
FOREST CONSERVATION OBSERVATION #1 3.021 AC.±
EXISTING TREES TO REMAIN
SW-1
SW-2
SW-3
SW-4
SW-5
SW-6
SW-7
SW-8
SW-9
SW-10
SW-11
SW-12
SW-13
STORM WATER MANAGEMENT RESERVATION (TO BE CONVEYED TO BALTO COUNTY) AREA 0.883 AC.±
Lr BtB
BtB
ChC2
ChB2
N 40°56'45"E 172.32'
262.57'
FB-2
FB-3
FB-4
FB-5
FB-6
FB-7
FB-8
FB-9
FB-10
DRAINAGE & UTILITY EASEMENT
FOREST BUFFER EASEMENT 2.305 AC.±
FOREST CONSERVATION RESERVATION #2 0.022 AC.±
FOREST BUFFER
N 60°23'31"E 136.66'
138.54'
S46°56'45"W- 167.50'
S64°34'32"E
58.86'
PROP 8"W
PROP 18"D
PROP 15"D
PROP 8"S
PROP 8"W
EXISTING TO BE REMOVED
ACTIVE LOCAL OPEN SPACE 30,550 SQ FT OR 0.701 AC.±
MAINTAIN 4% SLOPE IN ACTIVE LOCAL OPEN SPACE
PASSIVE LOCAL OPEN SPACE (17347 SQ.FT. OR 0.398 AC.±)
PROPOSED LANDSCAPE
PROPOSED ENTRANCE
HELEN DR
PROP 8"W
PROP 8"S
PROP 15"D
PROP 8"W
BX DRAINAGE AND UTILITY EASEMENT (R/W 97-44 13864/149)
PROP 20' DRAINAGE AND UTILITY EASEMENT
PROPOSED DRIVEWAY
JOHN CLARK
DORIS JACOB
EUGENE TRESTON
GEORGES WOODWARD
GEORGES WOODWARD
TERRY KEMPLER
EX DWLG
13343/198
2300001849
50' R/W
40' PAVING
"HOLTER PROPERTY" 70/73
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BX DRAINAGE
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SUMMARY OF WATER QUALITY MANAGEMENT AND GENERAL STORAGE REQUIREMENTS FOR THE OVERLOOK AT PERRY HALL
STORMWATER MANAGEMENT POND

Storage Type	Volume Required (Ac-Ft)	Remarks
Water Quality Volume WQ_v (WQ_v (Natural Area) =)	0 2958	Total WQ_v requirement
WQ_v (Forebay)=	0 0355	Minimum forebay volume required
WQ_v (Pond req'd)=	0 2603	M nimum pond volume required
Recharge Volume (Re_v)	0 0454	Volume is included in WQ_v storage within the pond
Channel Protection Volume (Cp_v)	0.7195	C_{Pv} release rate is 0.48 cfs
Overbank Flood Protection Volume (Q_p)	0 272	Q_{P10} provided, Q_{P10} safely conveyed
Extreme Flood Volume (Q_f)	N/A	Q_{P100} safely conveyed

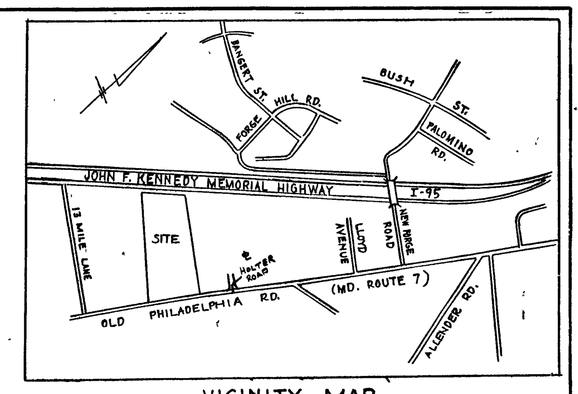
STORMWATER MANAGEMENT SUMMARY TABLE

Storm Event	Inflow (cfs)	Outflow (cfs)	Elevation (ft)	Storage (Ac-Ft)
2 YEAR	14 54	5 97	0 1937	8,439
10 YEAR	20 76	10 35	0 2717	11,835
100 YEAR	41 46	22 68	NA*	0 5244	22,842
200 YEAR	64 23	37 54	NA*	0 7885	34,393

* Quantity control is not required for the 10-year and 100-year storm events for the site

STORMWATER MANAGEMENT RESERVATION

LINE	BEARING & DISTANCE	LINE	BEARING & DISTANCE
SW-1	N17°44'29"W-44.00'	SW-8	R= 57.00' L=87.22' CH. S77°34'36"E-78.86'
SW-2	R=123.00' L=64.33' CH.N32°05'55"W-63.60'	SW-9	S17°24'39"W-19.65'
SW-3	N02°10'10"W-69.50'	SW-10	S39°52'37"E-51.47'
SW-4	N33°45'10"E-64.50'	SW-11	R=26.50' L=43.09' CH. S06°42'35"W-38.50'
SW-5	S86°14'50"E-10.39'	SW-12	S23°26'38"E-15.24'
SW-6	N33°45'10"E-53.00'	SW-13	S46°56'45"W-230.38'
SW-7	N58°35'12"E-43.00'		



VICINITY MAP
SCALE: 1"=1000'

JOHN F. KENNEDY MEMORIAL HIGHWAY ▼ I-95

E1475000 N631500

DR35H DR2H

N44°51'31"E 269.00 FB-10

582.45' 189.00' FB-1

FOREST CONSERVATION RESERVATION 3.021 AC ±

EXISTING TREES TO REMAIN

E1475000 N630000

N44°51'31"E 262.57'

N 40°56'45"E 172.32'

STORM WATER MANAGEMENT RESERVATION (TO BE CONVEYED TO BALTO COUNTY) AREA 0.883 AC ±

DRAINAGE & UTILITY EASEMENT

FOREST BUFFER EASEMENT 2.305 AC ±

FOREST CONSERVATION RESERVATION #2 0.022 AC ±

S46°56'45"W 167.50'

S64°34'32"E 138.54'

FOREST BUFFER

N60°23'31"E 136.68' (START OF LOT 8)

FOREST BUFFER EASEMENT 10.116 AC ±

R=100.00' CH. N 42°34'05.5"W-81.33'

SETBACK LINE

EXISTING TREES TO BE REMOVED

ACTIVE LOCAL OPEN SPACE 30,550 SQ FT OR 0.701 AC ±

MAINTAIN 4% SLOPE IN ACTIVE LOCAL OPEN SPACE

PASSIVE LOCAL OPEN SPACE 17347 SQ.FT. OR 0.398 AC ±

NEIGHBORHOOD

HOLTER RD. (PUBLIC)

PROP 20 DRAINAGE AND UTILITY EASEMENT

BX DRAINAGE AND UTILITY EASEMENT (R/W 97-49 LIBER 13369/193)

PROPOSED LANDSCAPE BUFFER

10' DRAINAGE & UTILITY EASEMENT

"HOLTER PROPERTY" 70/73

HOLTER ROAD (P/W 97-49 LIBER 13369 FOLIO 193)

EX 8" SAN

EX 8" WATER

EX CURB & GUTTER

EX F.H.

400' SIGHT LINE

EX 16" WATER (DRWG 78-0716)

EX 16" VALVE

EX 18" CMP

S34°00'28"W 259.00

S35°20'42"W 278.47

P.O.B.

PHILADELPHIA ROAD (ARTERIAL)

OLD

ZONED MLR

2195

EX 16" W (78-0717)

200' ACCELERATION LANE

408'

EX LOT 2 1.278 Ac ± MINOR SUBDIVISION 9230BM

#11336 EX. DWLG

#11304

#11239

RUSSELL A & MARGARETA KEEFER 3253/458 # 1111010970

ELSA RAIOMA 9820/380 TAX ACCT. NO. 3718001930

FRANK W & MARY WLOCEZEWSKI 5479/131 TAX ACCT NO. 1600014847

VINCENT J. & THERESA GIORDANO 4119/33 TAX ACCT NO. 1107029520

FOREST BUFFER EASEMENT & FOREST CONSERVATION EASEMENT

STANDARD NON-DISTURBANCE NOTE:
"THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT."

PROTECTIVE COVENANTS NOTE:
"ANY FOREST BUFFER EASEMENT 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.

SPECIMEN TREE NOTE:
"THERE SHALL BE NO SOIL COMPACTION, CLEARING, GRADING, BURNING, INTRODUCTION OF CHEMICALS, CONSTRUCTION OR OTHER DISTURBANCE DETRIMENTAL TO THE LIVE SPECIMEN TREE (S) OR CRITICAL ROOT ZONE FOR THIS (THESE) TREES EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPRM."

FOREST BUFFER

LINE	BEARING & DISTANCE	LINE	BEARING & DISTANCE
FB-1	S53°38'08"E - 20.49'	FB-6	S30°44'02"E-19 18'
FB-2	R= 80.00' L= 71.86' CH S27°54'12"E-69 47'	FB-7	S 65°33'51"E-68.53'
FB-3	S02°10'10"E - 90.50'	FB-8	R=100.00' L=184.79' CH S13°37'29"E-159.60'
FB-4	R=123.00' L= 64.33' CH. S32°05'55"E-63.60'	FB-9	N64°34'32"W-537.68'
FB-5	S17°44'29"E - 82.48'	FB-10	N44°51'31"E-373.45'

FOREST CONSERVATION RESERVATION #2

LINE	BEARING & DISTANCE
FC-1	R= 128.00' L= 22.51' CH. S24°34'10.5"E-22.48'
FC-2	S60°23'31"W - 22.57'
FC-3	R=100.00' L= 83.76' CH. N 42°34' 05.5"W- 81.33'
FC-4	S66°33'51"E - 71.15'

GENERAL NOTES

1. TOTAL GROSS AREA : 17.65 AC ±
2. EXISTING ZONING : DR 3.5 H (MAP NE 10 J) DR 2H
3. NO. LOTS ALLOWED 61 (3.5×17.2 + 2×04) = 61
4. NO. OF LOTS PROPOSED : 47 FOR SALE (S.F.D.)
5. COUNCILMANIC DISTRICT : 5
6. CENSUS TRACT : 4113.02
7. WATERSHED : GUNPOWDER FALLS
8. REGIONAL PLANNING DISTRICT: 317 B
9. SCHOOL DISTRICT-143
10. SOIL MAP REF. 37
11. DEED REF. 1720/327 & 659/577
12. TAX ACCT. NO. 1119008800 & 1119008801
13. TAX MAP : 73 BLOCK 7 PARCEL 312 & 313
14. THIS PROPERTY, AS SHOWN ON THIS PLAN, HAS BEEN HELD INTACT SINCE 1968. 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.
15. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
16. PUBLIC WATER EXTENSION IS NEEDED FOR THIS PROJECT.
17. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO SEPTIC SYSTEMS OR UNDERGROUND TANKS ON THIS PROPERTY.
18. DRAINAGE AND UTILITY EASEMENTS SHOWN ARE ALL PUBLIC UNLESS OTHERWISE NOTED.
19. PUBLIC SEWER AND WATER FACILITIES ARE AVAILABLE TO THIS SITE.
20. L.O.S. REQUIRED - PASSIVE 19,450 SQ.FT. PROVIDED ACTIVE- 30,550 SQ.FT. PASSIVE - 17,347 SQ.FT.
21. SUB SEWERSHED BEAN RUN WATERSHED
22. THIS WILL BE A COMBINED DEVELOPMENT AND FINAL DEVELOPMENT PLAN.
23. SEE CONTINUATION OF GENERAL NOTES.

DIRECTOR OF P.D.M. NOTE:
THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF P.D.M. BASED ON HIS INTERPRETATION 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 OR ANY PURPOSE OTHER THAN THAT IS INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.

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).

CURB CUT NOTE:
THE EXACT LOCATION OF 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.

CONSTRUCTION NOTES:
1. USE WELL COMPACTED FILL, SOD & PEG OR SEED MULCH & JUTE THATCHING, USE OF UNDERDRAINS TO LESSEN EFFECT OF HIGH WATER TABLE, RESULT OF BORING WILL DETERMINE IF SPECIAL DESIGN IS NECESSARY.
2. FOUNDATIONS TO BE CONSTRUCTED ON CONTROL FILL, USE UNDERDRAINS TO LESSEN EFFECT ON HIGH WATER TABLE, RESULT OF BORING WILL DETERMINE IF SPECIAL DESIGN IS NECESSARY. DISTURBED AREAS TO BE SODDED OR SEEDED, MULCH AND JUTE THATCHED.
3. DRIVEWAYS TO BE TAR AND CHIP AND WILL BE MAINTAINED EQUALLY BY ALL PARTIES HAVING RIGHTS TO THEIR USE BY A RECORDED COVENANTS.

DELINQUENT ACCOUNT CERTIFICATION
I, VAL MOR, INC CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

THIS FINAL DEVELOPMENT PLAN COMPLIES WITH ALL COUNTY COMMENTS AND IS IN AGREEMENT WITH DEVELOPERS EXHIBIT & A AND ALL OTHER APPROVED PLANS AND/OR ZONING AND DEVELOPMENT HEARING ORDERS.

APPROVAL STAMP
APPROVED BY OFFICE OF PLANNING & ZONING
DIRECTOR OF PLANNING DATE
DIRECTOR OF P.D.M DATE

PLAT TO ACCOMPANY PETITION FOR SPECIAL VARIANCE AND VARIANCES
PDM FILE Nº XI-884

DEVELOPMENT PLAN/FDP
OVERLOOK AT PERRY HALL

11TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.
SCALE: 1"=50'
MAR 4, 2002

"This site is in the HONEYGO OVERLAY DISTRICT H and is within the BEAN RUN SUBAREA and is subject to the HONEYGO OVERLAY DISTRICT APPLICABLE HONEYGO AREA REGULATIONS, as well as other BALTIMORE COUNTY ZONING REGULATIONS."

SHEET 1 OF 2

Site Rite Surveying, Inc
200 E Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410)828-9060

DEVELOPER,
VAL MOR, INC.
PO BOX 68
REISTERSTOWN, MD. 21136
PHONE. (410) 925-8919

OWNER
JOSEPH & ANNA SCHAECH
11324 PHILADELPHIA ROAD
WHITEMARSH, MD. 21162
DEED REF 1720/327 & 659/577
TAX ACCT NO. 1119008800
NO 1119008801

required to mail notice and revised development plans to all who attended the Hearing Officer's Hearing.

WHEREFORE, for all of the above-stated reasons, Valmor hereby requests that the Hearing Officer for Baltimore County reconsider his July 23, 2002 Order and:

A. REMAND this matter for a new Development Plan Conference on the revised development plan to be submitted by Valmor for the subject property; and

B. STRIKE that portion of the July 23, 2002 Order requiring an additional Community Input Meeting; and

C. For such further relief as the nature of this case may require.

RESPECTFULLY SUBMITTED

HOWARD L. ALDERMAN, JR.
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204
410-321-0600
410-296-2801 (Fax)
Attorneys for Valmor, Inc.

DATED: August 1, 2002

ORDER RECEIVED FOR FILING
Date 8/2/02
By [illegible]

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 020135

DATE 12/19/02 ACCOUNT 001-006-6150

AMOUNT $ 600.00

RECEIVED FROM: Hodes, Ulman, Pessin & Katz

FOR:

Appeal 02-518

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME
12/20/2002	12/19/2002	11:43:13

REG W502 WALKIN JEVA JEE DRAWER 2
>>RECEIPT # 242649 12/19/2002 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 020135
Recpt Tot $600.00
600.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

Case No. CBA-02-161	Revised Development Plan –Overlook at Perry Hall /PDM XI-884 (APPROVED per red-line Plan with restrictions) **and**
Case No. 02-518-SPVA-H	VAR –issuance of bldg permits prior to completion of road imp. to Cross Road and Forge Road; SWM pond slopes; compliance of Lots 37 and 42 /Honeygo (GRANTED) Special Variance and Variance /garages, setbacks, lot widths dismissed as moot.

3/10/03 – Stipulation of Dismissal and Proposed Order of Dismissal filed by counsel for all parties; signed by Robert D. Porter, Esquire and Howard L. Alderman, Jr., Esquire. Order of Dismissal to be issued; case pulled from schedule.
