| | | |
|---|---|---|
| IN RE: PETITION FOR SPECIAL EXCEPTION<br>E/S & End of Mid Falcon Road, 168.72'<br>E centerline of High Falcon Road<br>4th Election District<br>3rd Councilmanic District<br>(E/S & End of Mid Falcon Rd,<br>168.72. ft. E centerline High Falcon Road<br><br>Performance Properties, LLC<br>*Petitioners* | *<br><br>*<br><br>*<br><br>*<br><br>* | BEFORE THE<br><br>DEPUTY ZONING COMMISSIONER<br><br>OF BALTIMORE COUNTY<br><br><br>CASE NO. 03-157-X |

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owners of the subject property, Mid Falcon, LLC, by and through Lawrence Julio, its managing member. The special exception request involves property located at the East side and the End of Mid Falcon Road, located in the Reisterstown area of Baltimore County. The special exception request is to approve the width of two separate buildings, each with a total length of 309 ft. in lieu of the permitted 300 ft.

Appearing at the hearing on behalf of the special exception request were Rick Chadsey, the professional engineer who prepared the site plan of the property and Michael Marino, attorney at law. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special exception request, consists of 21.74 acres, more or less, split-zoned D.R.3.5 and D.R.16. The subject property received CRG approval for the construction of apartment buildings in August of 1988. The manner in which those apartments are to be constructed on the property are more particularly shown on Petitioners' Exhibit No. 1, the site plan submitted into evidence. Two of the buildings that are proposed to contain apartments are to be constructed with a total length of 309 ft. The design standards that were in effect at the time that this project was approved

ORDER RECEIVED FOR FILING
Date 11/13/02
By K. Jameson

required building lengths to be no longer than 300 ft. Therefore, in order to proceed with the buildings as shown on the site plan, the special exception request is necessary.

It is clear the Baltimore County Zoning Regulations permit the buildings to have a width greater than 300 ft. by special exception. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioners had the burden of adducing testimony and evidence which shows that the building proposal meets the prescribed standards and requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations. The Petitioners have shown that the buildings can be constructed without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the use at this particular location described by Petitioners' Exhibit No. 1 has any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The length of these buildings is not detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor is it inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertising, posting of the property, and public hearing on this petition held, and for the reasons given above, the relief requested in the special exception shall be granted.

THEREFORE, IT IS ORDERED this 13th day of November, 2002, by this Deputy Zoning Commissioner, that the Petitioners' request for special exception to approve the width of two separate buildings, each with a total length of 309 ft. in lieu of the permitted 300 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING
Date 11/13/02
By

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

CERTIFICATE OF PUBLICATION
11/13/02

Baltimore County
Zoning Commissioner

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

November 13, 2002

Michael E. Marino, Esquire
Levy & Marino, P.A.
609 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Special Exception
Case No. 03-157-X
Property: E/S & End of Mid Falcon Road,
168.72' E centerline of High Falcon Road

Dear Mr. Marino:

Enclosed please find the decision rendered in the above-captioned case. The petition for special exception has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Office of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy Kotroco

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Rick Chadsey, P.E.
G.W. Stephens & Associates, Inc.
1020 Cromwell Bridge Road
Towson, MD 21204



Printed with Soybean Ink
on Recycled Paper

# Petition for Special Exception

## to the Zoning Commissioner of Baltimore County

for the property located at 668.12' E of Centerline of High Falcon Road ES of End of Mid Falcon Road

which is presently zoned DR-16 & DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for ~~garden apartments and to request~~ an increase in the maximum elevation width of 2 groups of attached buildings ~~from 300 feet~~ per Section V.B.4.a of the Baltimore County Comprehensive Manual of Development Policies (CMDP)* from 300 feet to 309 feet. This request for Special Exception is consistent with the requirements of Section 502.1 of the BCZR (1970) and Section 1.B.01.2.B.2 (BCZR 1970)

* 1970

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

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

*Contract Purchaser/Lessee:*

N/A
Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

*Attorney For Petitioner:*

Michael E. Marino
Name - Type or Print

Signature

Levy & Marino, P.A.
Company

609 Bosley Avenue — 410-821-6633
Address — Telephone No.

Towson — MD — 21204
City — State — Zip Code

*Legal Owner(s):*

Mid Falcon, LLC
Name - Type or Print

Signature

Lawrence E. Julio, Managing Member
Name - Type or Print

Signature

216 Schilling Circle, 3rd Floor — 410-628-6000
Address — Telephone No.

Hunt Valley — MD — 21031
City — State — Zip Code

*Representative to be Contacted:*

Michael E. Marino
Name

609 Bosley Avenue — 410-821-6633
Address — Telephone No.

Towson — MD — 21204
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 9/27/02

ORDER RECEIVED FOR FILING
Date 11/8/02
By

Case No. 03-157-X

From the Offices of
GEORGE WILLIAM STEPHENS, Jr. and ASSOCIATES, INC.
1020 Cromwell Bridge Road
Baltimore, Maryland 21286
Phone (410) 825-8120 Fax (410) 583-0288

Description to Accompany Special Exception

DATE: August 26, 2002


Beginning at a point being the northwesterly corner of the subject property, said point being North 71degrees 44 minutes 06 seconds East 168.72 feet more or less, from a point formed by the intersection of the centerlines of Highfalcon Road and Mid-Falcon Road running thence leaving said point of beginning along the northerly property line, along the following 10 courses.

1. North 69 degrees 36 minutes 30 seconds East 640.62 feet,
2. North 69 degrees 36 minutes 30 seconds East 79.89 feet,
3. North 29 degrees 41 minutes 53 seconds West 2.56 feet,
4. North 69 degrees 54 minutes 07 seconds East 487.74 feet to the easterly property line of the subject property,
5. Thence running along the easterly property line South 18 degrees 38 minutes 42 seconds East 490.00 feet,
6. South 50 degrees 16 minutes 42 seconds West 402.74 feet,
7. South 16 degrees 17 minutes 57 seconds East 50 feet, to appoint on the southerly property line of the subject property,
8. Thence running along the southerly property line South 73 degrees 42 minutes 03 seconds West 373.36 feet,
9. South 63 degrees 39 minutes 20 seconds West 322.12 feet to the westerly property line of the subject property,
10. Thence running along the westerly property line North 32 degrees 03 minutes 16 seconds West 696.40 feet, to the point of beginning.

Containing 16.14 Acres of land more or less.

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

BOARD FOR PROFESSIONAL ENGINEERS
14328
FREDERICK N. CHADSEY
STATE OF MARYLAND

03-157-X

**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: #03-157-X
E/side of end of Mid Falcon Road 168.72 feet
east of centerline High Falcon
E/side of end of Mid Falion Road, 168.72 feet
east of centerline of High Falcon Road
4th Election District - 3rd Councilmanic District
Legal Owner(s): Lawrence E. Julio, Managing Member
Mid Falcon; LLC

**Special Hearing:** to approve the property an increase in the maximum elevation width of 2 groups of attached buildings from 300 feet to 309 feet

**Hearing: Tuesday, November 12, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 10/825 Oct. 29 C571474

# CERTIFICATE OF PUBLICATION

10/31/, 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 10/29/, 2002.

☒ 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. 10000

DATE 9/27/02 ACCOUNT A.001-006-6150

AMOUNT $ 300.00

RECEIVED FROM: M.D. FALCON, LLC

FOR: Special Exception for E/S of End of Wilfork, Rd, 1st 72' E. of ℄ of Highfield Road (03-157-X)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
ACCOUNT NAME DATE
9/27/2002 9/27/2002 11:06:02
001 006 6150 MISC FEE DEPOSIT 1
RECEIPT # 10000 9/27/2002 OWR
M.D. FALCON, LLC
CK 01663
Total Rec $300.00
Total Tendered $300.00
Baltimore County, Maryland

CASHIER'S VALIDATION

# CERTIFICATE OF POSTING

RE Case No 03-157-X

Petitioner/Developer JULIO, ETAL
MARINO / MID FALCON

Date of Hearing/Closing 11/12/02


...tt™ brand fax transmittal memo 7671 | # of pag
To BETTY at ROBIN | From O'KEEFE
Co. ZONING COMM | Co.
Dept | Phone #
Fax # 410 887 3468 | Fax #


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

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at THE END OF MIDFALCON ROAD (ONSITE)

The sign(s) were posted on 10/25/02
(Month, Day, Year)

Sincerely,

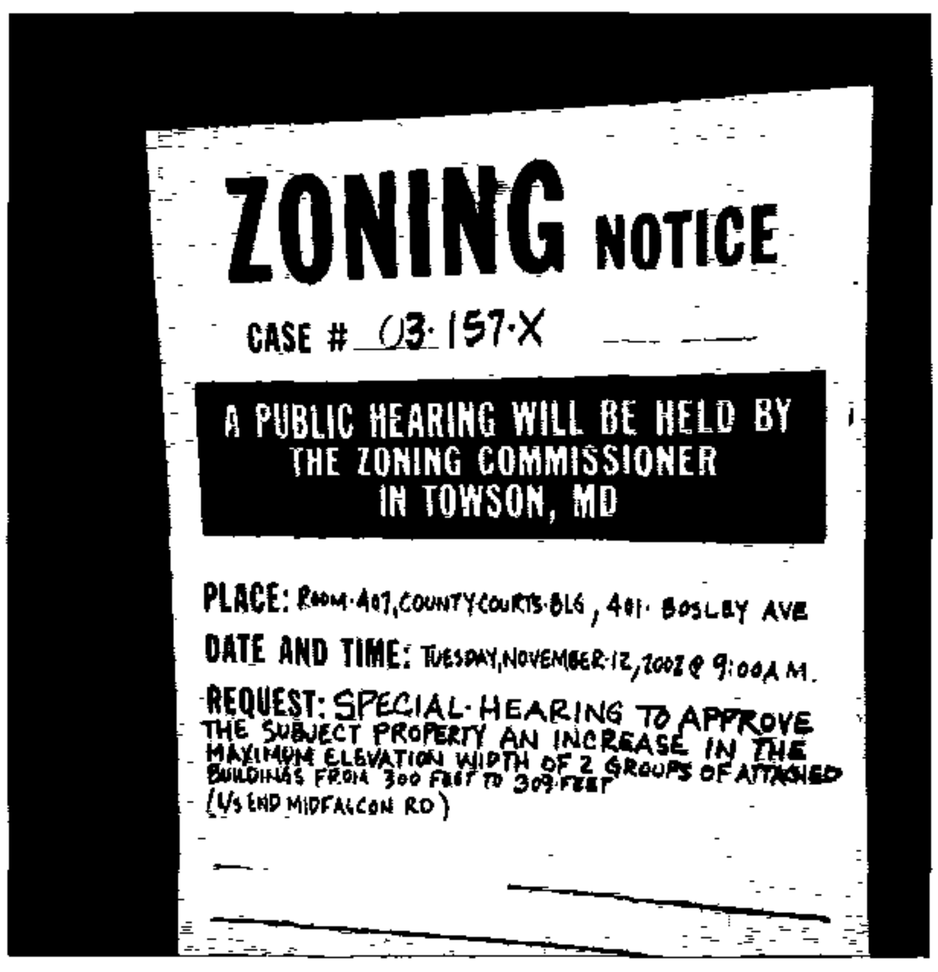
Patrick M O'Keefe SR 10/26/02
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD [illegible]
(City, State, Zip Code)

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




03-157-X
END MIDFALCON RD
JULIO 11/12/02

| | | | |
|---|---|---|---|
| RE: | PETITION FOR SPECIAL EXCEPTION<br>E/side of Mid Falcon Road 168.72' east<br>ctrl of High Falcon Road<br>4th Election District 3rd Councilmanic<br>District<br>Legal Owner: Lawrence E. Julio, Manager<br>Mid Falcon, LLC<br><br>Petitioner(s) | *<br><br>*<br><br>*<br><br>*<br><br>*<br><br>* | BEFORE THE<br><br>ZONING COMMISSIONER<br><br>FOR<br><br>BALTIMORE COUNTY<br><br>03-157-X |

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

## ENTRY OF APPEARANCE

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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of October, 2002, a copy of the foregoing Entry of Appearance was mailed to Michael E. Marino, LEVY & MARINO, P.A., 609 Bosley Avenue, Towson MD 21204 Attorney for Petitioner(s).

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
October 29,2002 Issue – Jeffersonian

Please forward billing to: Michael E. Marino
Levy & Marino, PA
609 Bosley Avenue
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: 03-157 X
E/side of end of Mid Falcon Road 168.72 feet east of centerline High Falcon
E/side of end of Mid Fallon Road, 168.72 feet east of centerline of High Falcon Road
Election District 4th - Councilmanic District 3rd
Legal Owner: Lawrence E. Julio, Managing Member Mid Falcon, LLC

SPECIAL HEARING to approve the property an increase in the maximum elevation width of 2 groups of attached buildings from 300 feet to 309 feet.

HEARING: Tuesday, November 12, 2002 at 9:00 in Room 407, County Courts Building
407 Bosley Avenue

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

Baltimore County
Department of Permits and
Development Management

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

October 8, 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: 03-157 X
E/side of end of Mid Falcon Road 168.72 feet east of centerline High Falcon
E/side of end of Mid Fallon Road, 168.72 feet east of centerline of High Falcon Road
Election District 4th - Councilmanic District 3rd
Legal Owner: Lawrence E. Julio, Managing Member Mid Falcon, LLC

SPECIAL HEARING to approve the property an increase in the maximum elevation width of 2 groups of attached buildings from 300 feet to 309 feet.

HEARING: Tuesday, November 12, 2002 at 9:00 in Room 407, County Courts Building
407 Bosley Avenue

Arnold Jablon
Director

Cc: Michael E. Marino, Levy & Marino, P.A. 609 Bosley Avenue Towson, MD 21204
Lawrence E. Julio, Managing Member, Mid Falcon 216 Schilling Ci. 3rd Fl. Hunt Valley, MD 21031

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY Tuesday, October 29, 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.



Printed with Soybean Ink
on Recycled Paper

# 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: 03-157-X

Petitioner: MID FALCON, LLC

Address or Location: E/S of END of MID FALCON ROAD, 168.72' E of ℄ of HIGH FALCON ROAD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MICHAEL E. MARINO, LEVY & MARINO, P.A.

Address: 609 BOSLEY AVENUE
TOWSON, MD 21204

Telephone Number: 410-821-6633

Revised 2/20/98 - SCJ

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

November 8, 2002

Michael E. Marino
Levy & Marino, P.A.
609 Bosley Avenue
Towson, MD 21204

Dear Mr. Marino:

RE: Case Number: 03-157-X, East side of Mid Falcon Road, 168.72 ft. east centerline of High Falcon Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 27, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

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

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel
Mid Falcon, LLC, Lawrence E. Julio, Managing Member, 216 Schilling Circle, 3rd Floor, Hunt Valley, MD 21031



Printed with Soybean Ink
on Recycled Paper

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

September 10, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items: 157

148-151, 153-158

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

cc: File

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** October 29, 2002

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

**SUBJECT:** Zoning Advisory Committee Meeting
For October 15, 2002
Item Nos. 147, 148, 149, 150, 151,
152, 153, 154, 155, 156, 157, and 158

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS/TCT

DATE: October 25, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of October 7, 2002

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

157

147-148, 150-154,156-158

Sim
11/12

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** October 30, 2002

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

**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 03-157**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

**Prepared by:** Mark A Cunningham

**Section Chief:** Lyn Lewis

AFK/LL:MAC

**Maryland Department of Transportation**
*State Highway Administration*

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 10.4.02

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

RE: Baltimore County
Item No. 157 JAP

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, Maryland 21202**

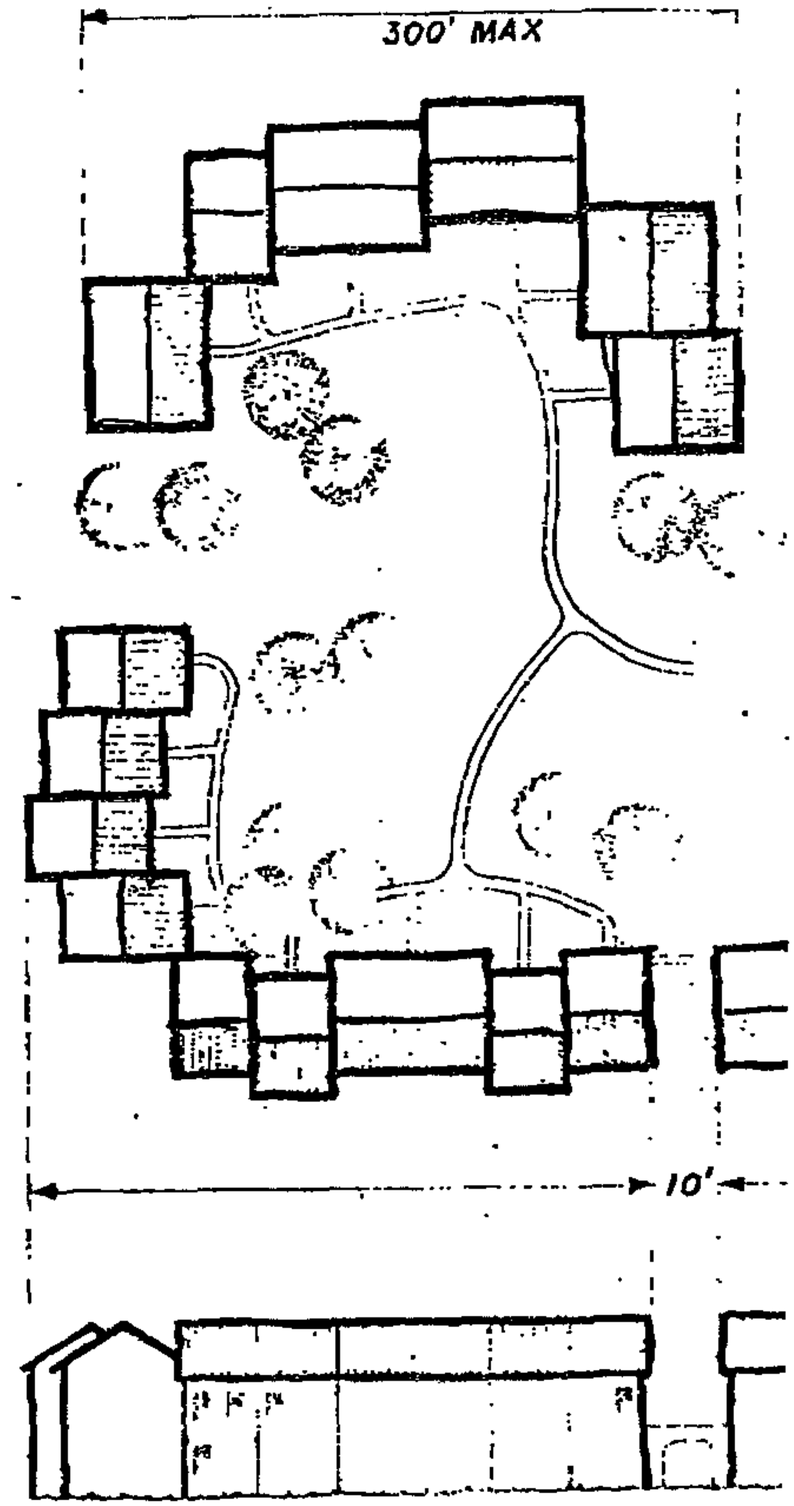
## V.B.4 BULK FACTOR

### V.B.4.a. Elevation Width

Maximum width of any elevation of a detached building or group of attached buildings shall be 300 feet, except when authorized under special exception procedures as provided in Section 502. See Figure 5-3.

### V.B.4.b. Passageway Width

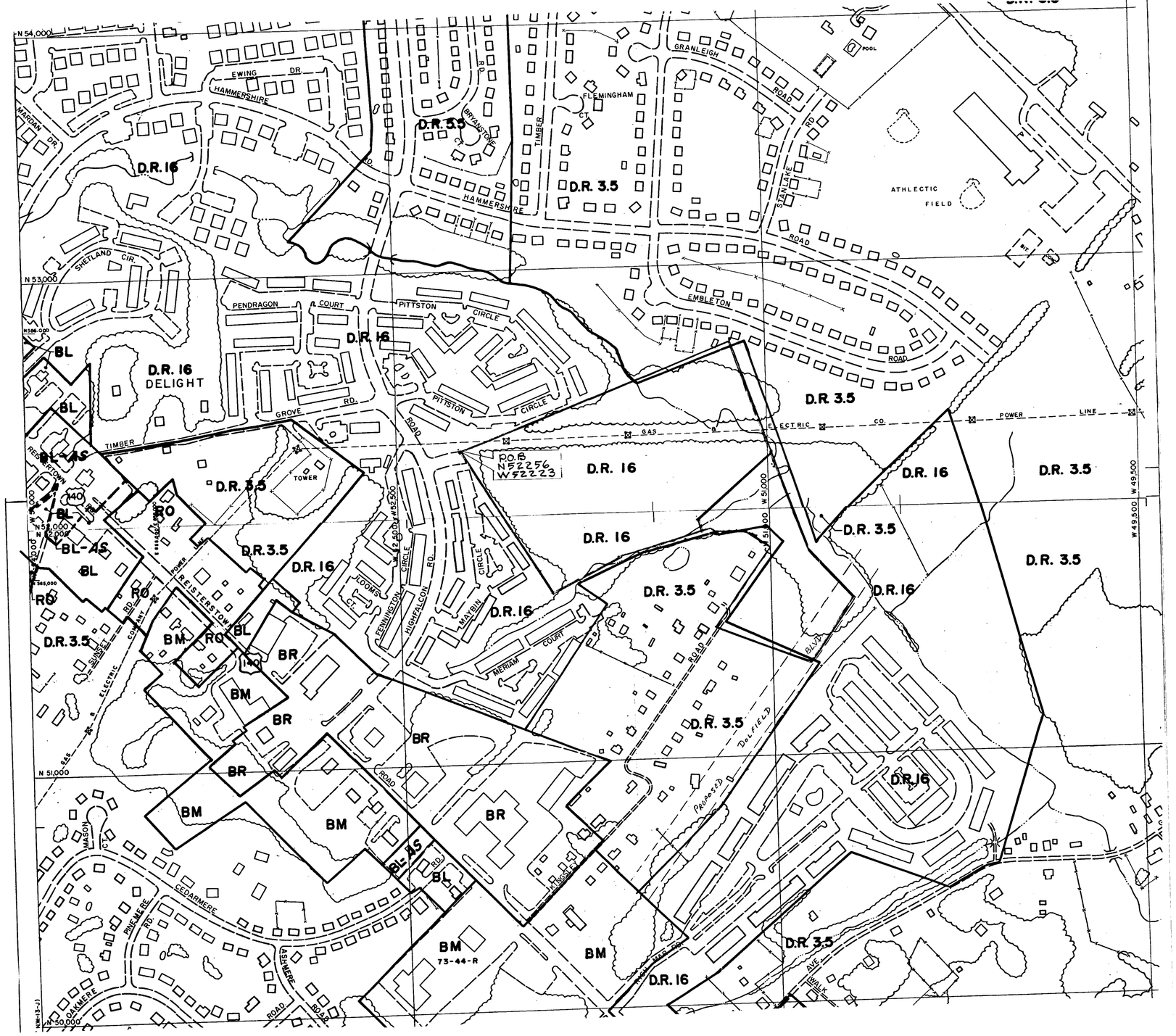
The minimum width of an exterior passageway or areaway between attached buildings or between portions of a single building shall be ten feet. See Figure 5-3.




Pet Ex #3

Figure 5-3

NW 14 I

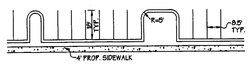



NW 13 I

03-157-X

## LEGEND

| | |
|---|---|
| PROPERTY LINE | |
| EX. CONTOURS | 416 |
| EX. SANITARY | EX. 8" SAN |
| FOREST BUFFER | FB FB |
| BUILDING SETBACK LINE | |
| EASEMENT LINE | |
| EX. TREE LINE | |
| PROP. F.H | |
| PROPOSED CONTOURS | 370 |
| PROPOSED CURB | C & G |
| PROPOSED WATER | PROP. 8" W |
| PROPOSED STORM DRAIN | PROP. 15" D |
| PROPOSED SEWER | PROP. 8" S |
| 100 YR. WATER SURFACE | |
| LIMIT OF WETLANDS | W W |
| SOILS LINES | MbV2 BaB |
| ZONING LINES | DR 16 DR 3.5 |
| 100 YR. FLOOD PLAIN RESERVATION | |
| TRACT BOUNDARY | |
| STREAM CENTERLINE | |
| EX. TREE LINE | |
| PARKING PROVIDED | 30 |

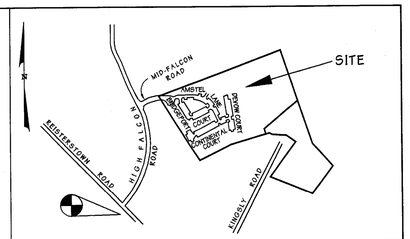



TYPICAL PARKING DETAIL
NO SCALE

HANDICAP PARKING DETAIL
NO SCALE




TYPICAL DUMPSTER PAD DETAIL
NOT TO SCALE




VICINITY MAP
SCALE : 1" = 500'

BENCHMARK : HUB #13280 ELEV. 627.37 R.E. SPIKE IN MACADAM ON SOUTHWEST SIDE OF REISTERSTOWN ROAD OPPOSITE HIGHFALCON ROAD @ DRIVE TO FAIRWAY MOTORS.

## TABULATON

EXISTING ZONING: DR 3.5 - 0.41 AC (GR0.05)
DR 16 - 21.33 AC (GR0.99)

GROSS ACREAGE = 949894.50 S.F. = 21.74 AC.
NET ACREAGE = 923185.32 S.F. = 21.17 AC

DENSITY CALCULATIONS:

ALLOWABLE - DR 3.5 X 0.05 = 1 DWELLING UNIT
DR 16 X 21.21 = 339 DENSITY UNITS

PROPOSED - 160 - 2 BEDROOM GARDEN APARTMENTS = 160 DENSITY UNITS

GARDEN APARTMENT:
* REMAINING DENSITY = 179 DENSITY UNITS
1 DWELLING UNIT
* A CHANGE IN THE MIX OF DENSITY UNITS (1.5, OR 3 BEDROOM UNITS) WILL NOT CONSTITUTE A CHANGE TO THE CRG PLAN AS LONG AS THE 160 DENSITY UNITS ARE NOT EXCEEDED.

C.O.A. OPEN SPACE
REQUIRED - 650 S.F. X 160 UNITS = 2.59 AC

PROVIDED - FLOOD PLAIN - 0.5 X 7.78 = 3.89 AC
OTHER = 4.32 AC
TOTAL = 8.21 AC.

OPEN SPACE AREAS WILL NOT BE REQUIRED THE OPEN SPACE AREAS NOT IN THE FLOOD PLAIN WILL BE OWNED AND MAINTAINED BY THE OWNERS OF THE APARTMENT COMPLEX.

PARKING
REQUIRED - 160-2 BR APARTMENTS X 1.55/UNITS = 244.8 SPACES

PROVIDED - 266 SPACES ( INCLUDING 13 H C SPACES )

AVERAGE DAILY TRIPS - AVERAGE DAILY TRIPS AS CALCULATED FROM THE BALTIMORE COUNTY COMPREHENSIVE MANUAL OF THE DEVELOPMENT POLICY.

AVERAGE APARTMENT
AVERAGE DAILY TRIPS = 160 UNITS X 5.52/UNIT
TOTAL = 882 TRIPS

## GENERAL NOTES:

1) DEED REFERENCE: 12441/7

2) PROPERTY NUMBERS: 22-00-029422, 22-00-029423, 22-00-029424
22-00-029425 and 22-00-029426

3) GENERAL DATA - CENSUS TRACT: 4042.01
WATERSHED: 27
SUBWATERSHED: 67

4) EXISTING USE - VACANT WOODED LAND
PROPOSED USE - RESIDENTIAL

5) ADTS COUNT SHOWN THUS (xxx).

6) WETLANDS - NONTIDAL WETLAND LIMITS HAVE BEEN FIELD LOCATED BY MR. RICHARD C. PAIS.

7) NO HISTORIC BUILDINGS, CRITICAL AREA, ARCHEOLOGICAL SITES, OR ENDANGERED SPECIES EXIST ON SITE.

8) ALL EXISTING DWELLINGS AND SMALL LOTS THAT CREATE A RESIDENTIAL TRANSITION AREA ON THE SITE ARE SHOWN.

9) DISTURBANCE OF OPEN SPACE BEYOND THE LIMITS SHOWN SHALL NOT BE ALLOWED WITHOUT PRIOR APPROVAL FROM THE DEPARTMENT OF RECREATION AND PARKS.

10) SOIL AND SLOPE MITIGATION MEASURES:
THE DEVELOPER SHALL DO THE FOLLOWING IN THOSE AREAS WHERE SEVERE OR MODERATE SOIL LIMITATIONS ARE INDICATED AND/OR STEEP SLOPE OCCUR.

A. INSURE THAT GRADING PLANS CONSIDER PROTECTION OF THESE AREAS FROM INCREASE IN RUN-OFF. THIS WILL INCLUDE DRAINING ROOF DOWN SPOUTS AND DRIVES INTO STORM DRAINS.

B. STABILIZATION OF DISTURBED AREAS IN ACCORDANCE WITH APPROVED SEDIMENT CONTROL PRACTICES.

C. PROVIDE FOR GEOTECHNICAL ASSISTANCE WITH ON-SITE INSPECTORS AS REQUIRED.

11) SIDEWALKS PROVIDED ON ALL STREETS AS INDICATED ON PLAN.

12) PROPOSED BUILDINGS SHALL BE DESIGNED AND CONSTRUCTED AS TO MEET THE APPLICABLE PROVISIONS OF THE FIRE PREVENTION CODE AND NFPA 101 LIFE SAFETY CODE 1988 EDITION.

13) WATER FOR FIRE PROTECTION WILL BE PROVIDED IN ACCORDANCE WITH THE FIRE DEPARTMENT REGULATIONS.

14) ALL PARKING AISLES AND MANEUVERING AREAS WILL BE PAVED WITH MACADAM AND PERMANENTLY STRIPED.

15) A LANDSCAPE PLAN MUST BE APPROVED BY THE DPW PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

16) MAIL DELIVERY AND PICK UP WILL BE PROVIDED AS SHOWN ON PLAN.

17) THIS DEVELOPMENT PLAN COMPLIES WITH THE 1ST REFINEMENT CRG PLAN APPROVED ON 8/12/96 AND ALL CRG COMMENTS. ANY MINOR CHANGES DO NOT CONSTITUTE MATERIAL OR SUBSTANTIAL CHANGES AND DO NOT REQUIRE ANOTHER CRG MEETING.

18) THE BUILDING ENVELOPES SHOWN ON THIS PLAN ARE FOR THE PRINCIPLE BUILDING ONLY. (SEE NOTE 19 REGARDING ACCESSORY STRUCTURES).

19) ACCESSORY STRUCTURES , FENCES AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPES, BUT MUST COMPLY WITH SECTIONS 400 AND 301.0F THE BALTIMORE COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PRMITS).

20) TRASH REMOVAL WILL BE PUBLIC AT DUMPSTER AREAS SHOWN ON PLAN. DUMPSTERS TO BE EMPTIED BY FRONT END TYPE TRUCKS. A 10'X10' CONCRETE PAD WILL BE PROVIDED FOR EACH DUMPSTER UNIT. PLAN HAS FOUR (4) PICKUP SITES WITH EACH SITE HAVING TWO (2) UNITS. A 4' CONCRETE APRON (7" THICK) WILL BE PLACED IN FRONT OF EACH PICKUP SITE.

21) PROPOSED LIGHTING IS SHOWN AS
LIGHT STANDARDS IN RTAs WILL BE A MAXIMUM OF 18' TALL.
LIGHTING IN RTAs WILL BE DIRECTED SO AS NOT TO SPILL ONTO OFFSITE RESIDENCE.

22) PUBLIC WATER AND SEWER WILL BE AVAILABLE TO THIS SITE. UTILITIES SHOWN ARE PRELIMINARY ONLY. CHANGES MAY BE MADE AT TIME OF FINAL DESIGN.

23) ALL ROADS AND PARKING AREAS ARE TO BE PRIVATE EXCEPT AS NOTED ON PLAN.

24) EXISTING VEGETATION WILL BE RETAINED WHEREVER POSSIBLE.

25) THERE ARE NO EXISTING WELLS, SEPTIC TANKS OR UNDERGROUND STORAGE TANKS ON THIS SITE.

26) RECREATION AREA TO POSSIBLY INCLUDE POOL TOT LOT, PICNIC AREA, TENNIS COURT, ETC.

27) ALL SIGNAGE WILL BE IN ACCORDANCE WITH BCZR.

## FOREST BUFFER EASEMENT

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

2. PROTECTIVE COVENANTS NOTE:
ANY FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

3. STANDARD NON-DISTURBANCE:
THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION, SOIL COMPACTION OR EXCAVATION, INTRODUCTION OF TOXIC CHEMICALS, OR OTHER DISTURBANCES DETRIMENTAL TO THE LIVE SPECIMEN TREES, OR CRITICAL ROOT ZONES FOR THESE TREES EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

## PROVISORY SECTION

THE PROVISORY SECTION OF THIS PARTIAL DEVELOPMENT PLAN IS NOT INTENDED NOR SHOULD IT BE UTILIZED AS A FINAL DEVELOPMENT PLAN FROM WHICH BUILDING APPLICATIONS MAY BE APPROVED FOR ISSUED. ITS PURPOSE IS TO PROVIDE THOSE WHO PURCHASE HOMES WITHIN 300 FEET THEREOF WITH A REASONABLE UNDERSTANDING AS TO HOW THE DEVELOPER WILL IMPROVE ALL ADJOINING VACANT LAND THAT LIES WITHIN 300 FEET OF THEIR HOME.

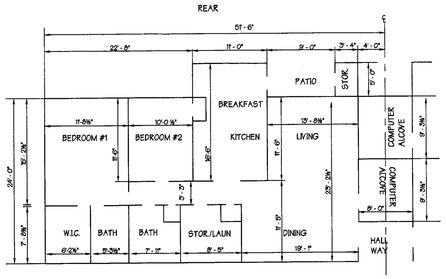
THE DIMENSIONED BOUNDERIES OF THE "PROVISORY SECTION" AS INDICATED HEREON ARE NOT INTENDED TO SEPARATE IT FROM THE OVERALL APPROVAL OF THIS PARTIAL DEVELOPMENT PLAN INCLUDING THE "PROVISORY SECTION" MUST BE APPROVED IN ACCORDANCE WITH SECTION 1B01.3.A.7, BALTIMORE COUNTY ZONING REGULATIONS.

APPROVAL OF THE "PROVISORY SECTION" IS NOT BASED ON FINAL ENGINEERED PLANS HOWEVER, IT IS INTENDED TO ESTABLISH: THE FINAL LOCATION, HEIGHT, USE AND DENSITY OF BUILDINGS OR THEIR ENVELOPES TO WITHIN 25 FEET OF THEIR ENGINEERED LOCATION; THE LOCATION AND TYPE OF EXISTING MAJOR VEGETATION THAT IS TO BE RETAINED; SCREENING; PARKING AREAS AND DRIVE TO THE EXTEND POSSIBLE SO AS TO COINCIDE WITH THEIR FINAL OR PERMANENT IMPROVEMENT, AND OTHER PERTINENT AMENITIES.

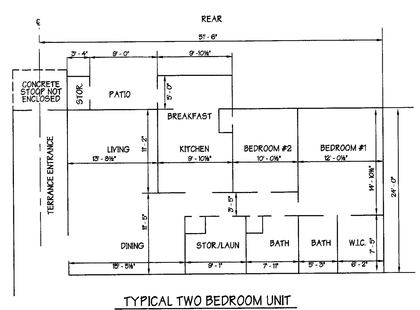
## REASONS FOR SECOND AMENDMENT - DATED 5/25/00

1. REVISED ROAD CENTERLINE, UTILITY LAYOUT AND BUILDING LOCATIONS.
2. REVISED TYPICAL CONDOMINIUM LAYOUT DETAILS.
3. NO UNITS HAVE BEEN SOLD WITHIN 300' OF THESE REVISIONS.

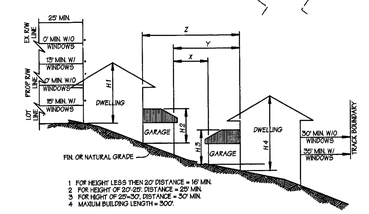
Pet Ex #1




TYPICAL TWO BEDROOM W/COMPUTER ALCOVE
NOT TO SCALE




TYPICAL TWO BEDROOM UNIT
NOT TO SCALE




1. FOR HEIGHT LESS THEN 20' DISTANCE = 15' MIN.
2. FOR HEIGHT OF 20'-25' DISTANCE = 20' MIN.
3. FOR HEIGHT OF 25'-30', DISTANCE = 30' MIN.
4. MAXIMUM BUILDING LENGTH = 300'.

* FOR TOWNHOUSES ONLY

## D-5 DISTANCES BETWEEN BUILDINGS (FACING ELEVATIONS)

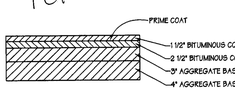
NOTWITHSTANDING THE DIAGRAM OF AVERAGE BUILDING HEIGHT IN SECTION V.B. 3 OF THE C.M.D.P., AND TO BE CONSISTANT WITH POLICY RM-6 OR A-13, THE FOLLOWING POLICY IS ADOPTED FOR ALL APPLICATIONS OF THE HEIGHT DISTANCE FACTOR V. B.3 IN THE C.M.D.P.

A. ALL BUILDING HEIGHTS WILL BE DETERMINED BY THE APPLICATION OF POLICY RM-6 OR A-13

B. THE LESSOR HEIGHT PORTIONS OF FACING ELEVATIONS (H2 + H3) MUST MEET THE MINIMUM REQUIRED SEPERATION FOR DISTANCE (X), AND THE GREATER HEIGHT PORTIONS (H1 + H4) MUST MEET THE MINIMUM REQUIRED SEPERATION FOR DISTANCE (Z).

C. IF TWO DIFFERENT HEIGHT ELEVATIONS FACE EACH OTHER AS SHOWN IN DISTANCE (Y), THE GREATER HEIGHT (H4) WILL DETERMINE THE REQUIRED SEPERATION.

* WINDOW TO WINDOW 40' MINIMUM




TYPICAL PAVING SECTION
NO SCALE

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

## OWNER/DEVELOPER

MID-FALCON L.L.C.
216 SCHILLING CIRCLE
SUITE 300
HUNT VALLEY, MARYLAND 21231
410-666-0040

## SOILS CHART

| TYPE | NAME | BUILDINGS W/ BSMTS. | STREET'S & PARKING | CLASS |
|---|---|---|---|---|
| BaB | BAILE | SEVERE | SEVERE | D |
| GlB2 | GLENELG | SLIGHT | MODERATE | B |
| GlB | GLENELLG | SEVERE | SEVERE | C |
| Hb | HATBORO | SEVERE | SEVERE | D |
| MbC2 | MANOR | MODERATE | SEVERE | B |
| MbD2, MbD3 | | SEVERE | SEVERE | B |

PURPOSE OF THE SPECIAL EXCEPTION:
TO REQUEST AN INCREASE IN THE MAXIMUM ELEVATION WIDTH OF 2 (TWO) GROUP OF ATTACHED BUILDINGS FROM 300 FEET, PER THE BALTIMORE CO. CMPD SECTION V.B.4.a, TO 309 FEET.


GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
1020 CROMWELL BRIDGE ROAD
TOWSON, MARYLAND 21286-3396
(410) 825-8120


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

# PLAT TO ACCOMPANY SPECIAL EXCEPTION FOR MID-FALCON PROPERTY

FDM No. IV - 212

ELECTION DISTRICT : 4-C3 CURRENT
ELECT. DIST. : 4-C2 AFTER 11/05/02
BALTIMORE CO., MARYLAND SHT. 1 OF 1

SCALE : 1" = 50'
DATE : 09/16/02

OFFICE OF PLANNING AND ZONING
APPROVED BY:

DIRECTOR OF PLANNING — DATE

DIRECTOR OF P.D.M — DATE

03-157-X

...\micro\18646dec_exception.dgn Sep. 16, 2002 15:44:37