RE: DEVELOPMENT PLAN HEARING,	*	BEFORE THE
PETITION FOR VARIANCE & PETITION		
FOR HONEYGO SPECIAL VARIANCE	*	HEARING OFFICER
NW/S of Philadelphia Road,		
SW of New Forge Road	*	OF BALTIMORE COUNTY
11th Election District		
5th Councilmanic District	*	Case Nos. XI-901 & 04-150-AHSA
(HAGAN HALL PROPERTY)		
	*	
K & B HOMES, LLC		
Petitioner/Developer	*	

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

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer for Baltimore County as a requested approval of a Development Plan and Petition for Special Hearing prepared by Little & Associates, Inc., the engineers who prepared the Development plan proposing the development of the subject property with 17 single-family dwellings. The property, which is the subject of this request, comprises 9.2 acres and is zoned DR-2H and RO. The subject property is located on the northwest side of Philadelphia Road, southwest of New Forge Road.

In addition to seeking approval of the Development Plan, the Petitioner is also requesting variance relief from Section 259.9B.4.b. of the Baltimore County Zoning Regulations (B.C.Z.R.), (i) to permit a front yard setback for the existing dwelling to remain 24 ft. in lieu of the 40 ft. required, (ii) from Section 259.9F.4 of the B.C.Z.R., to permit a cul-de-sac with a length of 800 +/- ft. in lieu of the 400 ft. maximum; (iii) to permit the design, size, location, shape, configuration, continued use and any further improvement of the existing dwelling and garage which pre-date the adoption of the design requirements in B.C.Z.R., Section 259. The Petitioner is also requesting Honeygo Special Variances from the B.C.Z.R. pursuant to Sections 259.8 and 4A02.f[F]G, as follows: (i) from Section 259.7, the Threshold Limits – Honeygo Area to permit the issuance of residential building permits for construction of single-family homes as shown on the Development Plan entitled Hagan/Hall Property and any and all amendments thereto approved or proposed; (ii) from Section 259.7S.1 to permit the sewerage system for the

ORDER RECEIVED FOR FILING
Date 12/18/03
By R. Jmetton

proposed lots to be connected to a sewerage interceptor outside of the Honeygo Area.

The file indicates that the property was posted with the required signs indicating the time and place of the zoning and development plan hearing on October 31, 2003 and notice given to the public on the zoning issues on November 20, 2003 by publication in the Jeffersonian newspaper.

Interested Persons

Appearing at the hearing on behalf of the Development Plan approval request and special hearing relief were Dwight Little and Chris Hanson of Little & Associates, Inc., representing the engineering firm who prepared the Development Plan and Mickey Cornelius, Traffic Engineer. Howard L. Alderman, Jr., Esquire, represented the Developer/Petitioner.

William Libercci, Perry Hall Improvement Association, appeared as a protestant. Appearing as an interested citizen in the matter were Mr. and Mrs. Mike Horwath, and William Diefenbach, nearby property owner.

As is usual and customary, representatives of the various Baltimore County reviewing agencies also attended the hearing; namely, Jeff Perlow (Zoning Review), Ron Goodwin (Land Acquisition), Bob Bowling (Development Plans Review) and Walt Smith (Development Project Manager), all from the Office of Permits & Development Management; R. Bruce Seeley from the Department of Environmental Protection & Resource Management (DEPRM); Mark Cunningham from the Office of Planning; and Jan Cook from the Department of Recreation & Parks.

As to the history of the project, a Concept Plan Conference was scheduled on June 10, 2002, followed by a Community Input Meeting held on July 9, 2002 at the White Marsh Library. Thereafter, a Development Plan Conference was held on November 12, 2003 and the Hearing Officer's Hearing was scheduled on December 4, 2003.

Development Plan

Developer Issues

The Developer presented no issues for resolution and urged approval of the plan without

ORDER RECEIVED FOR FILING
Date 12/18/03
By

modification.

County Issues

Each county agency representative indicated on the record that their agency was satisfied with the redline plan which met all County requirements within that agency's jurisdiction. Notwithstanding the above, two issues were not fully resolved as of the date of the hearing. The first was that several easements on the north side of the property were needed in order to connect the sewer line to the public sewer in Philadelphia Road. The Land Acquisition representative indicated that his department was content to have the plan approved without these easements but that these easements would be required prior to record plat. The second issue was that the Recreation and Parks representative indicated that the Developer had requested a waiver of local open space, but that it was not yet approved by his Department as of the date of the hearing. Again he was content to go forward with the Development Plan. See Note Well. Finally, the Office of Planning opposed the requested Honeygo Special Variances and in that sense opposed the Development Plan. However, Planning had no technical development plan issues.

Protestant's Issues

Mr. Libercci, Perry Hall Improvement Association, opposed the requested Honeygo Special Variances and in that sense opposed the Development Plan. He testified that traffic from this subdivision would indeed use Forge Road and Cross Road and, therefore, the special variances should be denied.

Community Issues

Mr. Difenbach, adjacent property owner, wanted the Developer to be required to remove and replace dead trees in the line of trees along the boundary with the Apperson subdivision. The Developer agreed to remove the dead trees and replant according to the landscape plan to be submitted to the County. In addition, he requested the sewer clean-out on his property, now being utilized by the Hagan property, be capped since a different sewer design was being implemented on the plan and this clean-out would no longer be needed. The Developer agreed to this request.

ORDER RECEIVED FOR FILING
Date 12/18/03
By

Mr. Horwath was concerned about screening Lot 11 in the new development from his adjoining property. The Developer's engineer explained that the County requires that the Developer leave 25 ft. from the tract boundary undisturbed and can require additional plantings to screen adjoining properties from the new development. Within the 25 ft. area there is a 10 ft. wide utility easement. The Developer agreed to this condition and to submit a landscape plan to the County in order to screen New Lot 11 and New Lots 10 and 12 with evergreens.

Applicable Law

Section 26-206 of the B.C.Z.R. *Development Plan Approval.*

(a) (1) A public quasi-judicial hearing before the hearing officer is required prior to final action on a plan. The hearing may be informal in nature. The hearing officer shall regulate the course of the hearing as he may deem proper, including the scope and nature of the testimony and evidence presented.

(2) The hearing officer shall take testimony and receive evidence regarding any unresolved comment or condition that is relevant to the proposed plan, including testimony or evidence regarding any potential impact of any approved development upon the proposed plan.

(3) The hearing officer shall make findings for the record and shall render a decision pursuant to the requirements of this section.

(b) The hearing officer shall grant approval of a Development Plan that complies with these development regulations and applicable policies, rules and regulations promulgated pursuant to section 2-416 et seq. of the Code, provided that the final approval of a plan shall be subject to all appropriate standards, rules, regulations, conditions, and safeguards set forth therein.

(o) In approving a plan, the hearing officer may impose such conditions, as may be deemed necessary or advisable based upon such factual findings as may be supported by evidence for the protection of surrounding and neighboring properties. Such conditions may only be imposed if:

(1) The condition is based upon a comment which was raised or a condition which was proposed or requested by a part;

(2) Without the condition there will be an adverse impact on the health, safety or welfare of the community;

ORDER RECEIVED FOR FILING
Date 12/15/03
By R. Jamison

(3) The condition will alleviate the adverse impact; and

(4) The condition does not reduce by more than twenty (20) percent the number of dwelling units proposed by a residential Development Plan in a D.R.5.5, DR 10.5, or DR 16 zone, and no more than twenty (20) percent of the square footage proposed by a non-residential Development Plan. This subsection is not applicable to a PUD Development Plan.

Finds of Fact and Conclusions of Law

The property on which the development is proposed consists of 9 acres and is split-zoned DR 2H and RO. There are two existing homes on the property which are to remain. Fifteen new homes will be constructed for a total of 17 homes on the premises. The plan proposes to have two lots in the RO zone which front on Philadelphia Road. One of these lots will contain the first existing home. The remaining fifteen lots (with one existing home) are located in the Bean Run SubArea of the Honeygo growth area.

Except as the plan is affected by the special and zoning variances below, I find that the Redline Plan, Petitioner's Exhibit No. 1, complies with the development regulations and applicable policies, rules and regulations promulgated pursuant to section 2-416 et seq. of the Baltimore County Code. I further find that the final approval of a plan is subject to all appropriate standards, rules, regulations, conditions, and safeguards set forth therein. Therefore, I will approve the Redline Plan subject to the conditions below.

Zoning Variances

Amended Zoning Petition

The Permits and Development Management Departments representative noted a technical error in the petition for zoning variance in that the original petition requested relief from Section 259.9B.4 for the front yard setback regarding the existing home on Lot 1 which fronts on Philadelphia Road. This lot is located in an RO zone and so would be subject to front yard set back requirements of 45 ft. (instead of 40 ft.). The proper section of the B.C.Z.R. is 1B01.2.C.1 rather then 259.9B.4, which applies to properties in the Honeygo Area. The Petitioner agreed with the amendment and I have accepted the amendment to the zoning petition.

ORDER RECEIVED FOR FILING
Date 12/18/03
By R. Jamison

In regard to the basis of the front yard setback request, the Petitioner explained that Lot 1 contained an existing home whose front yard has existed for many years. Obviously, meeting the 45 ft. set back would require moving the home, which would create hardship and practical difficulty for the owner. Furthermore, the home has been there for years and has become part of the view from Philadelphia Road. There is no detriment to the health, safety and welfare of the surrounding community by leaving the home where it is. Similarly, to permit the design, size, location, shape, configuration, continued use and any further improvement of the existing dwelling and garage which pre-date the adoption of the design requirements in B.C.Z.R., Section 259 can be granted without any detriment to the general health, safety and welfare. To deny such would impose hardship and practical difficulty to the owner of this existing home.

In regard to the length of the cul-de-sac, the request is to allow a length of 800 ft. in lieu of the required 400 ft. Proffered testimony indicated that the lot is L-shaped and consequently has irregular boundaries. There are two large pockets of woods on the property, which must be preserved in the forest conservation area. Finally, the Storm Water Management facilities constrains the engineer's ability to locate interior roads on the property. The proffered testimony indicated that it was not possible to meet the Honeygo goal of providing interconnecting roads between subdivisions in this case. Consequently, the long cul-de-sac is the only feasible option.

Applicable Law

Section 307 of the B.C.Z.R. – ***Variances***.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to

ORDER RECEIVED FOR FILING
Date 12/18/03
By

the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) Comments are made part of the record of this case and contain the following highlights. None.

Findings of Fact and Conclusions of Law

Neither the protestants, the citizens, or the County agencies opposed the zoning variances. I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. There is an existing home on the property, which can be retained even with new homes being built. The front yard is what it is. Additionally, I find that there is no reasonable alternative to the long cul-de-sac, since the internal roadway can not connect to adjoining subdivisions. No increase in residential density beyond that otherwise allowable by the Zoning Regulations was requested. Furthermore, I find that these variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. Therefore, I will approve the zoning variances requested.

Special Honeygo Variances

Applicable Law

Bill 79-03

ORDER RECEIVED FOR FILING
Date 12/18/03
By R. Jenkins

A threshold issue is whether County Council Bill No. 79-03 applies to this case. This bill removed the Zoning Commissioner's power to grant Honeygo special variances in all but a few cases. The Petitioner argues that this case fits the first exception in the Bill, "that the property is bisected by 2 or more subareas identified in Section 259.7." However, I disagree with the Petitioner's interpretation of this exception. This property is zoned DR 2H and is partially located in the Bean Run SubArea. However, it is also zoned RO. RO is not a subarea identified in Section 259.7. Those subareas are Bean Run Subarea, Honeygo Run Subarea, Bird River Subarea and Belair Road Subarea.

Nevertheless, I agree with the fact that this plan meets the second exception. It is uncontested that the Concept Plan was accepted for filing prior to August 4, 2003. Therefore, I find that Bill No. 79-03 does not apply and this office retains the power to grant special Honeygo variances.

Applicable Law – Special Honeygo Variances

Section 259.4 of the B.C.Z.R. *Statement of Legislative Intent for Honeygo Area and H Overlay Districts*

The Honeygo Area and the H and H1 Overlay Districts are established to implement the Honeygo Area Plan, an amendment to the Master Plan 1989-2000. The area is created to ensure that the development of infrastructure will coincide with the approval of building permits. The districts are to provide for a unified traditional design, which will create a community instead of isolated subdivisions and commercial uses. It is expected that the Honeygo Area will include a neighborhood center surrounded by residential areas, which are connected to it, to each other, and to open space through a network of interconnected, continuous streets. It is intended that development be designed around public spaces, including the neighborhood center, roads and parks to serve as focal points for the community. The H and H1 Districts provide uniform design standards which feature protection of the environment, housing oriented towards the street, streetscapes which are not dominated by parking lots, signage consistent with building design, and landscaping. Site design, building design and landscaping shall be coordinated within each development and between developments to create a pleasing and harmonious overall effect. The H and H1 Districts are to be read as additions to, modifications of and exceptions from the requirements of the underlying zoning classification on the land.

ORDER RECEIVED FOR FILING
Date 12/18/03
By R. Jamison

2. Section 259.8

The Zoning Commissioner shall use the standards established in Section 4A02.4.G of these regulations when considering variances from Section 259.7.

3. Subsection G Petitions for special variance from provisions of this subsection.

1. The Zoning Commissioner may, after a public hearing, grant a petition for a special variance from a provisions of this subsection, only to an extent that will not violate that provision's purpose, pursuant to a finding:

   a. That the demand or impact of the development proposed will be less than that assumed by the district standard that would otherwise restrict or prohibit the development, or that the standard is not relevant to the development proposal; and

   b. That granting of the petition will not adversely affect a person whose application was filed prior to the petitioner's application in accordance with Section 4A02.3.G.2b

2. The Office of Planning shall give a report on the petition to the Zoning Commissioner prior to his consideration of the petition.

3. The Zoning Commissioner may grant or deny the petition, or grant it subject to any conditions or limitations consistent with the criteria set forth in Paragraph 1 above.

4. An appeal may be filed with the County Board of Appeals within 30 days of the decision of the Zoning Commissioner.

Discussion

Section 4A02.4.G of the Baltimore County Zoning Regulations (B.C.Z.R.) provides a three-part standard against which any request for special variance must be measured. First and foremost, the request must not violate "that provisions' purpose". This purpose is set out clearly in Section 259.4, especially in the dictate that "The area is created to ensure that the development of infrastructure will coincide with the approval of building permits". Also required is the issue of impact on infrastructure and finding of no adverse affect on person holding reserve capacity use certificates is considered, we must hold tightly to the purpose of the legislation.

Testimony and Evidence

The Petitioner is requesting two special variances. First, it requests a variance from

Section 259.7S.1, Sewer Connections, to allow sewerage from the proposed development to be connected to a sewerage interceptor outside the Honeygo area. The Petitioner proffered that the sewerage could flow by gravity to the interceptor in Philadelphia Road. This is much preferred to pumping the sewerage over the ridge line into the Bean Run subarea from a reliability standpoint, since pumps are subject to failure with resulting damage to homeowners' property and perhaps person. I agree with this contention. Furthermore, the Petitioner contends that the interceptor in Philadelphia Road has more than adequate capacity to handle this relatively small subdivision's sewerage. Consequently, there is no adverse impact on either the new community or existing infrastructure to allow the connection to the sewer line in Philadelphia Road even though this is outside the Honeygo subarea. Finally, the Petitioner proffered that granting this variance could not have any impact on a person holding reserve capacity use certificates as the sewerage flows outside the restricted zone. Neither the protestant, citizens or the County agencies objected to this variance.

Contrary to the sewerage issue, Mr. Libercci and the Planning Office strenuously objected to the second variance which involves issuing residential building permits for single-family homes beyond the Threshold Limits in effect in the Bean Run subarea. While both objected in principle to granting any such variance, Mr. Libercci specifically testified that new residents of this development will use both Cross Road and Forge Road and that these roads are not yet improved. The Petitioner agreed that Cross and Forge Roads were not yet improved but disagreed on whether residents of this development would use the unimproved roads.

The Petitioner presented Mr. Cornelius, Traffic Engineer, who testified that the residents' only connection to the outside world was via Philadelphia Road, which is a major arterial roadway, connecting to other major arterial and collector roads. Residents wanting to travel for employment, shopping or recreation would surely use these major roadways rather than the partially improved rural Forge and Cross Roads. As important, he testified that this subdivision is located on the east side of I-95, whereas the unimproved Cross and Forge Roads are located on the west side of this interstate limited access highway. As a result, there are very few

ORDER RECEIVED FOR FILING
Date 12/18/03
By

connections between the east and west sides of I- 95 and no direct connection at all between this subdivision and the unimproved roads. As a result, he concluded that there would be no practical use of either road by residents of this subdivision for commuter related trips, admitting only that there could be an occasional visit to friends or family in the Cross and Forge Road area.

Mr. Libercci, however, foresaw residents of this subdivision regularly using Forge and Cross Roads and argued that there could be no impact whatsoever on these roadways if the purpose of the Honeygo legislation was to be followed.

Mr. Cornelius testified that granting the threshold variance would not adversely affect a person whose application was filed prior to the Petitioner's application in accordance with Section 4A02.3.G.2b. Neither Mr. Libercci nor the Planning Office contended otherwise.

Findings of Fact and Conclusions of Law

Sewerage Special Variance

I find that allowing sewerage to flow to the interceptor outside the subarea does not violate "that provisions' purpose to ensure that the development of infrastructure will coincide with the approval of building permits". I further find that the demand or impact of the development proposed will be less than that assumed by the district standard for sewerage that would otherwise restrict or prohibit the development. I further find that there will be no adverse affect on persons holding reserve capacity use certificates if sewerage flows outside the subarea into the interceptor in Philadelphia Road.

Threshold Special Variance

I find that traffic from this development will not violate "that provisions' purpose to ensure that the development of infrastructure will coincide with the approval of building permits". I further find that the demand or impact of the development proposed will be less than that assumed by the district standard for traffic on roadways from this development that would otherwise restrict or prohibit the development. The basis of this finding is the simple common sense observation that this development is not connected to either Forge Road or Cross Road in any direct manner. In fact, it is separated from either road by limited access to I-95. No

ORDER RECEIVED FOR FILING
Date 12/18/13

reasonable resident of the new subdivision will travel over to the unimproved roads other than perhaps to visit family or neighbors. There certainly will be no discernable commuter traffic through either road when the development exits onto Philadelphia Road. While I recognize Mr. Libercci's personal knowledge of the area, it respectfully is not enough to simply allege some traffic will flow onto Forge or Cross Roads from this subdivision. More importantly, the statute requires that the impact on the unimproved roads in this case be "less than that assumed by the district standard". This is not the same as no impact. No impact applies to persons who may have filed applications prior to this applicant and which was not contested. Whatever "less than that assumed by the district standard" means, it does not mean zero impact.

I further find that there will be no adverse affect on person holding reserve capacity use certificates.

THEREFORE, IT IS ORDERED, by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, this 18 day of December, 2003, that the Redline Development Plan known as "Hagan Hall ", submitted into evidence as "Developer's Exhibit No. 1", be and is hereby APPROVED, subject, however, to the following conditions and restrictions:

1. The Developer shall be required to remove and replace the dead trees in the line of trees along the boundary with the Apperson subdivision and submit a landscape plan to Avery Harden, Landscape Architect for Baltimore County, for his review and approval;

2. The Developer shall cap the sewer clean-out on the Difenbach property when the project is actually built. This clean-out is currently being utilized by the Hagan property;

3. The Developer shall provide evergreen screening between the new development and Lots 11 and Lots 10 and 12.

IT IS FURTHER ORDERED, that the amended variance relief requested from Section 1B02.C.1. of the Baltimore County Zoning Regulations (B.C.Z.R.), (i) to permit a front yard setback for the existing dwelling to remain 24 ft. in lieu of the 45 ft. required, and relief from Section 259.9F.4 of the B.C.Z.R., (ii) to permit a cul-de-sac with a length of 800 +/- ft. in lieu of

ORDER RECEIVED FOR FILING
Date 12/18/03
By J. Jameson

the 400 ft. maximum; (iii) to permit the design, size, location, shape, configuration, continued use and any further improvement of the existing dwelling and garage which pre-date the adoption of the design requirements in B.C.Z.R., Section 259, be and they are hereby GRANTED.

IT IS FURTHER ORDERED, that the Honeygo Special Variances from the B.C.Z.R. pursuant to Sections 259.8 and 4A02.f[F]G, as follows: (i) from Section 259.7, the Threshold Limits – Honeygo Area to permit the issuance of residential building permits for construction of single-family homes as shown on the Development Plan entitled Hagan/Hall Property and any and all amendments thereto approved or proposed; (ii) from Section 259.7S.1 to permit the sewerage system for the proposed lots to be connected to a sewerage interceptor outside of the Honeygo Area, be and it is hereby GRANTED.

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

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER/
HEARING OFFICER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 12/18/03
By R. Jenkins

NOTE WELL

The Developer proposed, and County agencies have agreed, that this development plan may be approved prior to local open space waivers being approved by the Department of Recreation & Parks.

Notice is given that the Baltimore Circuit Court in the matter of Oella Mill, Civil Action No. 03- C-03-0016 has ruled that such conditional approval is prohibited. This case is on appeal to the Court of Special Appeals and as such presents no precedent herein.

Finally attention is called to Section 26-206 (o)

" In approving a plan, the hearing officer may impose such conditions, as may be deemed necessary or advisable based upon such factual findings as may be supported by evidence for the protection of surrounding and neighboring properties. Such conditions may only be imposed if:

(1) The condition is based upon a comment which was raised or a condition which was proposed or requested by a party;

(2) Without the condition there will be an adverse impact on the health, safety or welfare of the community;

(3) The condition will alleviate the adverse impact; .....(emphasis supplied)

Under a plain reading of the code, there may be no basis for conditional approval by the Hearing Officer of a plan which does not have final approvals and thus meet all County regulations on the day of the Hearing Officer's Hearing. The Code seems to indicate only conditions for the benefit of the surrounding community may be applied.

There was no evidence in this case that the Department of Recreation & Parks will not approve the requested waiver for local open space. Nevertheless, that waiver is not yet in the record. This plan is approved without conditions.

ORDER RECEIVED FOR FILING
Date 12/13/03
By H. Jameson

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

December 18, 2003

Howard Alderman, Esquire
Levin & Gann
502 Washington Avenue, 8th Floor
Towson, Maryland 21204

Re: Hearing Officer's Hearing No. XI-901 & Case No. 04-150-AHSA
Property: NW/S of Philadelphia Road, SW of New Forge Road
11th Election District, 5th Councilmanic District
(Hagan Hall Property)

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above-captioned cases. The Development Plan and Petition for Honeygo Special Variance have 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 Department of Permits & 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,

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

Copies to:

Robert & Cindy Hagan
11504 Philadelphia Road
White Marsh, MD 21162

Hagan Hall, LLC
P. O. Box 130
Long Green, MD 21092

Dwight Little, P.E.
Chris Hanson, P.E.
Little & Associates, Inc.
1055 Taylor Avenue, Suite 307
Towson, MD 21286

Mickey Cornelius
The Traffic Group
9900 Franklin Square Drive, Suite H
Baltimore, MD 21236

Mr. & Mrs. Mike Horwath
5528 Edwin Court
White Marsh, MD 21162

William Diefenbach
5524 Edwin Court
White Marsh, MD 21162

William Libercci
19 Shawan Court
Baltimore, MD 21236

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11504, 11506 & 11510 Philadelphia Road

which is presently zoned DR 2H & RO

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 ATTACHMENT #2

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

SEE ATTACHMENT #2

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

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

Contract Purchaser/~~Lessee~~ Developer:

Hagan Hall, LLC
Name - Type or Print

By: Timothy J. O'Shea (M.M.)
Signature

PO Box 130 — 410-592-2000
Address — Telephone No.

Long Green — MD — 21092
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): [Additional Names on Attachment #1]

Robert H. Hagan
Name - Type or Print

Signature

Cindy L. Hagan
Name - Type or Print

Signature

11504 Philadelphia Road — 410-256-1579
Address — Telephone No.

White Marsh — MD — 21162
City — State — Zip Code

Representative to be Contacted:

G. Dwight Little, PE @ Little & Associates, Inc.
Name

1055 Taylor Avenue, Suite 307 — 410-296-1636
Address — Telephone No.

Towson — MD — 21286
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By TM Date 9/25/03

Case No. 04-150-AHSA

REV 9/15/98

ORDER RECEIVED FOR FILING
Date 12/18/03
By

Attachment 1
PETITION FOR VARIANCE

CASE NO: 04- -AHSA

Address:	11504, 11506 & 11510 Philadelphia Road
Legal Owners:	Robert H. & Cindy L. Hagan; Maude M. Chikar; and Larry R. & Jerelene L. Hall
Contract Purchaser:	Hagan Hall, LLC

Signatures of Owners (continued):

Maude M Chikar

Maude M. Chikar
11506 Philadelphia Road
White Marsh, MD 21162
Telephone: 410-256-3017

Larry R. Hall

Larry R. Hall

Jerelene L. Hall

Jerelene L. Hall
11510 Philadelphia Road
White Marsh, MD 21162
Telephone: 410-256-3938

#150

Attachment 2
PETITION FOR VARIANCE

CASE NO: 04- 150 -AHSA

Address:	11504, 11506 & 11510 Philadelphia Road
Legal Owners:	Robert H. & Cindy L. Hagan; Maude M. Chikar; and Larry R. & Jerelene L. Hall
Contract Purchaser:	Hagan Hall, LLC

REQUESTED RELIEF:

Variances from *Baltimore County Zoning Regulations* (BCZR) as follows: i) from § 259.9B.4.b to permit a front yard setback for the existing dwelling to remain 24 feet in lieu of the 40 feet required; ii) from § 259.9F.4 to permit a cul-de-sac with a length of 800 ± feet in lieu of the 400 foot maximum; iii) to permit the design, size, location, shape, configuration, continued use and any further improvement of the existing dwelling and garage which pre-date the adoption of the design requirements in BCZR § 259; and iv) for such further relief as the nature of this case and development may require.

JUSTIFICATION:

A. Irregular shape of the property;
B. Variances are to bring existing structures into compliance; and
C. For such further reasons that will be presented at the hearing on this Petition.

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

#150

Honeygo Special Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11504, 11506 & 11510 Philadelphia Road

which is presently zoned DR 2H & RO

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 ATTACHMENT #2

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

SEE ATTACHMENT #2

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

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

Contract Purchaser/~~Lessee~~: Developer

Hagan Hall, LLC
Name - Type or Print

By: Tony B. Ogle. (M.M.)
Signature

PO Box 130 — 410-592-2000
Address — Telephone No.

Long Green — MD — 21092
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): [Additional Names on Attachment #1]

Robert H. Hagan
Name - Type or Print

Signature

Cindy L. Hagan
Name - Type or Print

Signature

11504 Philadelphia Road — 410-256-1579
Address — Telephone No.

White Marsh — MD — 21162
City — State — Zip Code

Representative to be Contacted:

G. Dwight Little, PE @ Little & Associates, Inc.
Name

1055 Taylor Avenue, Suite 307 — 410-296-1636
Address — Telephone No.

Towson — MD — 21286
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Case No. 04-150-AHSA

Reviewed By LTM Date 9/25/03

REV 9/15/98

Attachment 1
PETITION FOR HONEYGO SPECIAL VARIANCE

CASE NO: 04- -AHSA

Address:	11504, 11506 & 11510 Philadelphia Road
Legal Owners:	Robert H. & Cindy L. Hagan; Maude M. Chikar; and Larry R. & Jerelene L. Hall
Contract Purchaser:	Hagan Hall, LLC

Signatures of Owners (continued):

Maude M. Chikar

Maude M. Chikar
11506 Philadelphia Road
White Marsh, MD 21162
Telephone: 410-256-3017

Larry R. Hall

Larry R. Hall

Jerelene L. Hall

Jerelene L. Hall
11510 Philadelphia Road
White Marsh, MD 21162
Telephone: 410-256-3938

#150

Attachment 2

PETITION FOR HONEYGO SPECIAL VARIANCE

CASE NO: 04- 150 -AHSA

Address:	11504, 11506 & 11510 Philadelphia Road
Legal Owners:	Robert H. & Cindy L. Hagan; Maude M. Chikar; and Larry R. & Jerelene L. Hall
Contract Purchaser:	Hagan Hall, LLC

REQUESTED RELIEF:

Honeygo Special Variances from *Baltimore County Zoning Regulations* (BCZR), pursuant to Sections 259.8 and 4A02.f[F]G, as follows: i) from §259.7, the Threshold Limits - Honeygo Area to permit the issuance of residential building permits for construction of single-family homes as shown on the development plan entitled *Hagan/Hall Property* and any and all amendments thereto approved or proposed; ii) from § 259.7S.1 to permit the sewerage system for the proposed lots to be connected to a sewerage interceptor outside of the Honeygo Area and iii) for such further relief as the nature of this case and development may require.

JUSTIFICATION:

A. Capital Projects relative to Authorizations are not affected by the development; or
B. Commencement of Capital Projects relative to Authorizations is anticipated in the near future; and
C. For such further reasons that will be presented at the hearing on this Petition.

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

#150

September 24, 2003

ZONING DESCRIPTION FOR PROPOSED LOT 1 OF
THE HAGAN / HALL PROPERTY

Beginning at a point on the northwest side of Philadelphia Road, which is 40 feet wide at the distance of 240 feet southwest of the centerline of the nearest improved intersecting street Lloyd Avenue, which is 20 feet wide. Thence northerly 20 +/- feet to a point on the north side of Philadelphia Road being the southeast corner of proposed Lot 1, as shown on the Development Plan of the Hagan / Hall Property. Also known as 11510 Philadelphia Road (existing address), and located in the 11th Election District, 5th Councilmanic District, Baltimore County, Maryland.

STATE OF MARYLAND
LEONARD THOMAS BONGER
NO. 10859
REGISTERED
PROFESSIONAL LAND SURVEYOR

9-24-03

#150

September 11, 2003

ZONING DESCRIPTION FOR
THE HAGAN / HALL PROPERTY
#11504, #11506, #11510 PHILADELPHIA ROAD

Beginning at a point on the northwest side of Philadelphia Road which is 40 feet wide at the distance of 240 feet southwest of the centerline of the nearest improved intersecting street Lloyd Avenue which is 20 feet wide. Thence **(1)** South 33 degrees 40 minutes 57 seconds West 237.09 feet; thence **(2)** North 56 degrees 24 minutes 23 seconds West 176.38 feet; thence **(3)** South 37 degrees 12 minutes 37 seconds West 352.86 feet; thence **(4)** North 64 degrees 35 minutes 03 seconds West 541.06 feet; thence **(5)** North 36 degrees 45 minutes 57 seconds East 669.52 feet; thence **(6)** South 64 degrees 17 minutes 16 seconds East 384.29 feet; thence **(7)** South 46 degrees 33 minutes 43 seconds East 321.59 feet to the place of beginning. As recorded in Deed Liber S.M. 7835 folio 65, Deed S.M. 7835 folio 68 and Deed O.T.G. 5105 folio 275, containing 9.058 acres of land. Also known as 11504, 11506 and 11510 Philadelphia Road and located in the 11th Election District, 5th Councilmanic District, Baltimore County, Maryland.

STATE OF MARYLAND
LEONARD THOMAS BOHANGER
No. 10859
REGISTERED
PROFESSIONAL LAND SURVEYOR

#150

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 293[illegible]

DATE 9/25/03 ACCOUNT [illegible]

AMOUNT $ 500.00

RECEIVED FROM: HAGAN HALL LLC

FOR: 04-130-AHEA

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #04-150-AHSA
11504 and 11506
N/west side Philadelphia Road, 240 +/- south west of Philadelphia and Elgyd Avenue
11th Election District – 5th Councilmanic District
Legal Owner(s): Robert and Cindy Hagan
Contract Purchaser: Hagan Hall, LLC

Special Variance: Honeygo Area to permit the issuance of residential building permits for construction of single-family homes as shown on the development plan entitle Hagan/Hall Property and any and all amendments thereto approved or proposed. To permit the sewerage system for the proposed lots to be connected to a sewerage inceptor outside the Honeygo Area and for such further relief as the nature of this case and development may require. **Variance:** to permit a front yard setback of the existing dwelling to remain 24 feet in lieu of the 40 feet required. To permit a cul-de-sac with a length of 800 +/- feet in lieu of the 400 feet maximum. To permit the design, size, location, shape, configuration, continued use and any further improvement of the existing dwelling and garage which pre-date the adoption of the design requirements for such further relief as the nature of this case and development may require.

Hearing: Thursday, December 4, 2003 at 9:00 a.m. in Room 106, 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 11/740 November 18 C637531

CERTIFICATE OF PUBLICATION

Nov. 20, 2003

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 NOV. 20, 2003

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 04-150-AHSA

Petitioner/Developer: HAGAN HALL, LLC,

Date of Hearing/ Closing: DEC. 4, 2003

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

Attention: BECKY HART

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 #11504 AND #11506 PHILADELPHIA ROAD

The sign(s) were posted on OCT. 31, 2003
(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)

ZONING NOTICE

CASE # 04-150-AHSA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: ROOM 106, COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVENUE
TOWSON, MD. 21204

DATE AND TIME: THURSDAY, DECEMBER 4, 2003
AT 9:00 A.M.

REQUEST: SPECIAL VARIANCE - HAVE YOU AREA TO PERMIT THE ISSUANCE OF RESIDENTIAL OWNERSHIP PROMISES FOR CONDOMINIUM OR SINGLE FAMILY HOMES AS SHOWN ON THE PLAN ENTITLED BAGANVILLE PROPERTY AND ALSO ALL AMENDMENTS PERTINENT TO APPROVED OR PROPOSED TO BE CONNECTED TO A SEWERAGE SYSTEM FOR THE PROPOSED LOTS TO BE CONNECTED TO SUCH SYSTEM. FURTHER RELIEF AS THE NATURE OF THE CASE MAY REQUIRE. VARIANCE - TO PERMIT A FEW DWELLING TO REMAIN WITHIN A LIMITED OF 100 FEET INSTEAD OF THE REQUIRED 200 FEET.

RE: PETITION FOR HONEYGO SPECIAL VARIANCE 11504, 11506 & 11510 Philadelphia Road; NW/side of Philadelphia Rd, 240' +/- SW of Philadelphia & Lloyd Avenue Intersection 11th Election & 5th Councilmanic Districts Legal Owner(s): Robert H & Cindy Hagan, Maude M Chikar & Larry & Jerelene Hall Contract Purchaser(s): Hagan Hall, LLC Petitioner(s)	* * * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 04-150-AHSA

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

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
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

RECEIVED
OCT 0 9 2003
Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of October, 2003, a copy of the foregoing Entry of Appearance was mailed to, G. Dwight Little, PE, Little & Associates Inc, 1055 Taylor Avenue, Suite 307, Towson, MD 21286 & to Howard L. Alderman, Jr, Esquire, Levin & Gann, P.A. 502 Washington Avenue, 8th Floor, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Department of Permits and Development Management

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

Baltimore County

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

October 9, 2003

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: 04-150-AHSA
11504 and 11506 Philadelphia Road
N/west side Philadelphia Road, 240 +/- southwest of Philadelphia and Lloyd Avenue
11th Election District – 5th Councilmanic District
Legal Owner: Robert and Cindy Hagan
Contract Purchaser: Hagan Hall, LLC

Special Variance Honeygo Area to permit the issuance of residential building permits for construction of single-family homes as shown on the development plan entitle Hagan/Hall Property and any and all amendments thereto approved or proposed. To permit the sewerage system for the proposed lots to be connected to a sewerage inceptor outside of the Honeygo Area and for such further relief as the nature of this case and development may require. Variance to permit a front yard setback of the existing dwelling to remain 24 feet in lieu of the 40 feet required. To permit a cul-de-sac with a length of 800 +/- feet in lieu of the 400 feet maximum. To permit the design, size, location, shape, configuration, continued use and any further improvement of the existing dwelling and garage which pre-date the adoption of the design requirements for such further relief as the nature of this case and development may require.

Hearings: Thursday, December 4, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Timothy Kotroco

Timothy Kotroco
Director

TK:rlh

C: Howard L. Alderman, Jr., Levin & Gann, Nottingham Centre, 8th Floor, 502 Washington Avenue, Towson 21204
Robert Hagan and Cindy Hagan, , 11504 Philadelphia Road, White Marsh 21162
Hagan Hall, LLC, PO Box 130, Long Green 21092
G. Dwight Little, Little Associates, 1055 Taylor Avenue, Suite 307, Towson 21204

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, NOVEMBER 19, 2003.**
(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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 18, 2003 Issue - Jeffersonian

Please forward billing to:
Hagan/Hall LLC
PO Box 130
Long Green, MD 21092

410-592-2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-150-AHSA
11504 and 11506
N/west side Philadelphia Road, 240 +/- southwest of Philadelphia and Lloyd Avenue
11th Election District – 5th Councilmanic District
Legal Owner: Robert and Cindy Hagan
Contract Purchaser: Hagan Hall, LLC

Special Variance Honeygo Area to permit the issuance of residential building permits for construction of single-family homes as shown on the development plan entitle Hagan/Hall Property and any and all amendments thereto approved or proposed. To permit the sewerage system for the proposed lots to be connected to a sewerage inceptor outside of the Honeygo Area and for such further relief as the nature of this case and development may require. Variance to permit a front yard setback of the existing dwelling to remain 24 feet in lieu of the 40 feet required. To permit a cul-de-sac with a length of 800 +/- feet in lieu of the 400 feet maximum. To permit the design, size, location, shape, configuration, continued use and any further improvement of the existing dwelling and garage which pre-date the adoption of the design requirements for such further relief as the nature of this case and development may require.

Hearings: Thursday, December 4, 2003 at 9:00 a.m. in Room 106, County Office 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: 04-150-AHSA

Petitioner: HAGAN/HALL LLC

Address or Location: WEST SIDE OF PHILADELPHIA ROAD
240'± SW OF PHILADELPHIA AND LLOYD AVE INTERSECTION.
11504, 11506 & 11510 PHILADELPHIA ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: HAGAN/HALL LLC

Address: P.O. BOX 130
LONG GREEN MD 21092

Telephone Number: 410-592-2000

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

November 26, 2003

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

Dear Mr. Alderman:

RE: Case Number: 04-150-AHSA, 11504, 11506 & 11510 Philadelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 25, 2003.

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:klm

Enclosures

c: People's Counsel
Robert & Cindy Hagan, 11504 Philadelphia Road, White Marsh 21162
Hagan Hall LLC, P.O. Box 130, Long Green 21092
G. Dwight Little, 1055 Taylor Ave., Ste. 307, Towson 21286
Larry and Jerelene Hall, 11510 Philadelphia Rd., White Marsh 21162
Maude Chikar, 11506 Philadelphia Rd., White Marsh 21162

Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

October 7, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: October 7, 2003

Item No.: 130 - 141, 143, 144, 147 - 150

Dear Ms. Hart:

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.

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: November 21, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For October 13, 2003
Item Nos. 130, 131, 132, 133, 134, 135,
138, 139, 142, 143, 145, 146, 149, and 150

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

RWB:CEN:jrb

cc: File

(?) Jack 11/18 12/4

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: October 21, 2003

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

RECEIVED
OCT 23 2003
ZONING COMMISSIONER

SUBJECT: 11504, 11506, 15510 Philadelphia Road

INFORMATION:

Item Number: 04-150

Petitioner: Cindy L. Hagan

Zoning: DR 2H & RO

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends that the petitioner's request for issuance of variances from Section 259.7 and 4A.02.4.G of the BCZR be **DENIED**. This office will defer to the Department of Public Works regarding the request to vary Section 259.7.S.1.

Prepared by: Marcia A. Crumbacker

Section Chief: Lyn Lanham

AFK/LL:MAC:

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

State Highway Administration
Driven to Excel

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: October 8, 2003

Ms. Rebecca Hart
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 150 (LTM)
Hagen Hall LLC
MD 7
Mile Post 8.53

Dear Ms. Hart:

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 30' radii returns.
- 15' wide deceleration lane 535' total length, to include 435' curb and gutter and a 100' painted taper.
- 15' wide acceleration lane 250' total length, to include 150' curb and gutter and a 100' painted taper.
- A standard 16' wide by-pass lane, 800' long.
- Landing grade shall be 50' in length at a 3% maximum.
- A hydraulic analysis.
- Provide a typical section showing the improvements to MD 7.

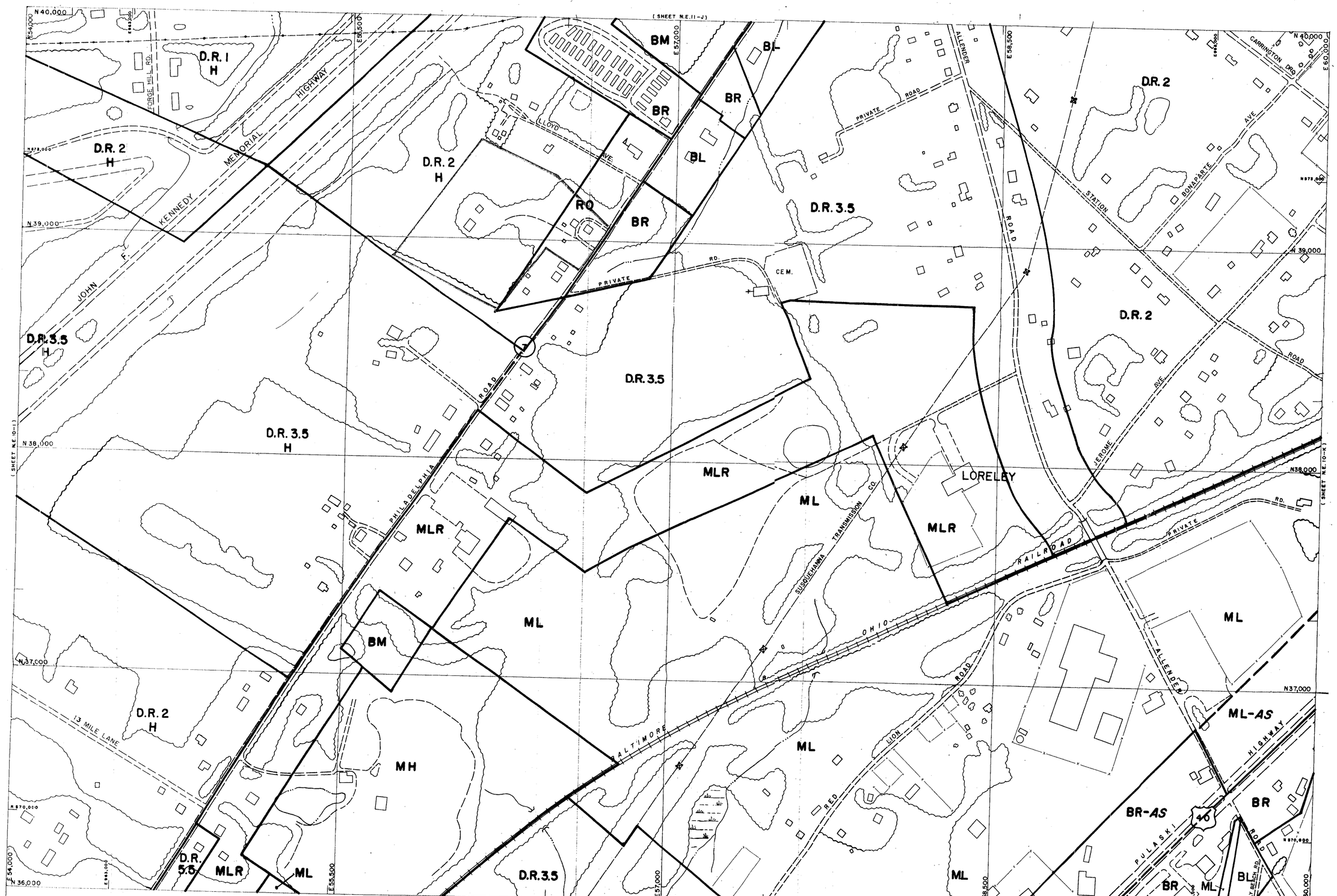
Please have their representative contact this office regarding the roadway improvements conditioned to the permit.

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

Cc: Robert W. Boling, P.E.



M-NE M-NW
Q-SE QQ-SW

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

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

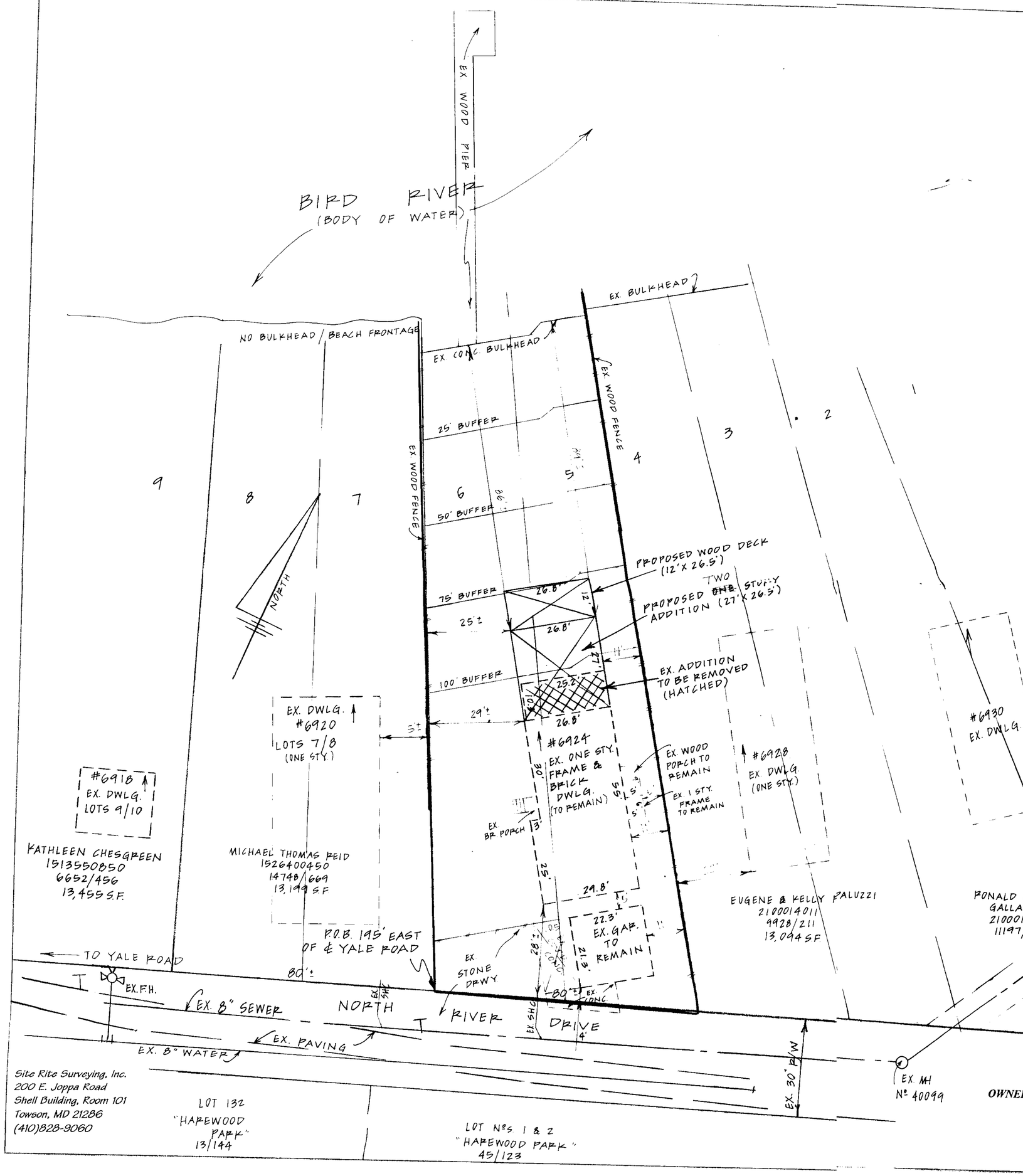
Joseph Bartenfelder
Chairman, County Council

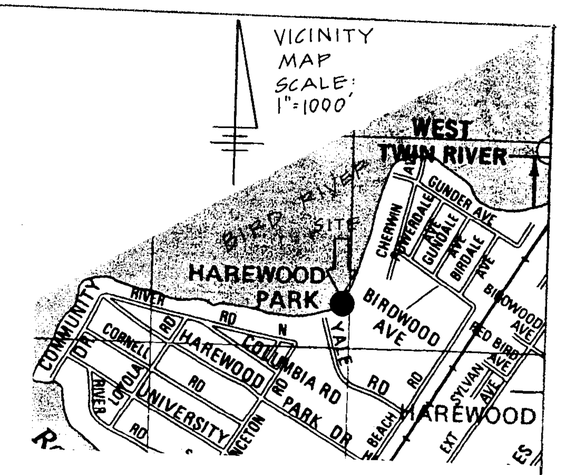
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200'±	LORELEY	N. E. 10-J
DATE OF PHOTOGRAPHY JANUARY 1986		

NE 10 J

#150





GENERAL NOTES:
1. EXISTING ZONING: D.R. 5.5
2. LOT AREA: 13,585 S.F.+/- OR 0.311 ACRES+/-
3. 200' SCALE ZONING MAP: N.E. 8-L
4. PUBLIC WATER AND SEWER ARE AVAILABLE TO THIS SITE
5. LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA
   CRITICAL AREA ADMINISTRATIVE VARIANCE APPROVAL 10/26/2002
6. LOCATED IN A 100 YEAR FLOOD PLAIN AREA
   FEMA COMMUNITY PANEL NO.: 240010 0315B
   ZONE: "A10"
7. FLOOD ELEVATION CERTIFICATION WAS COMPLETED 4/16/2003 AND IS PART OF THIS PETITION PACKAGE
8. NOT LOCATED IN A HISTORIC DISTRICT
9. EXISTING USE: SINGLE FAMILY DWELLING
   PROPOSED USE: SINGLE FAMILY DWELLING W/ PROP. ADDITION
10. NO PRIOR ZONING HEARINGS
11. THERE ARE NO METES AND BOUNDS PROVIDED ON THE RECORD PLAT.

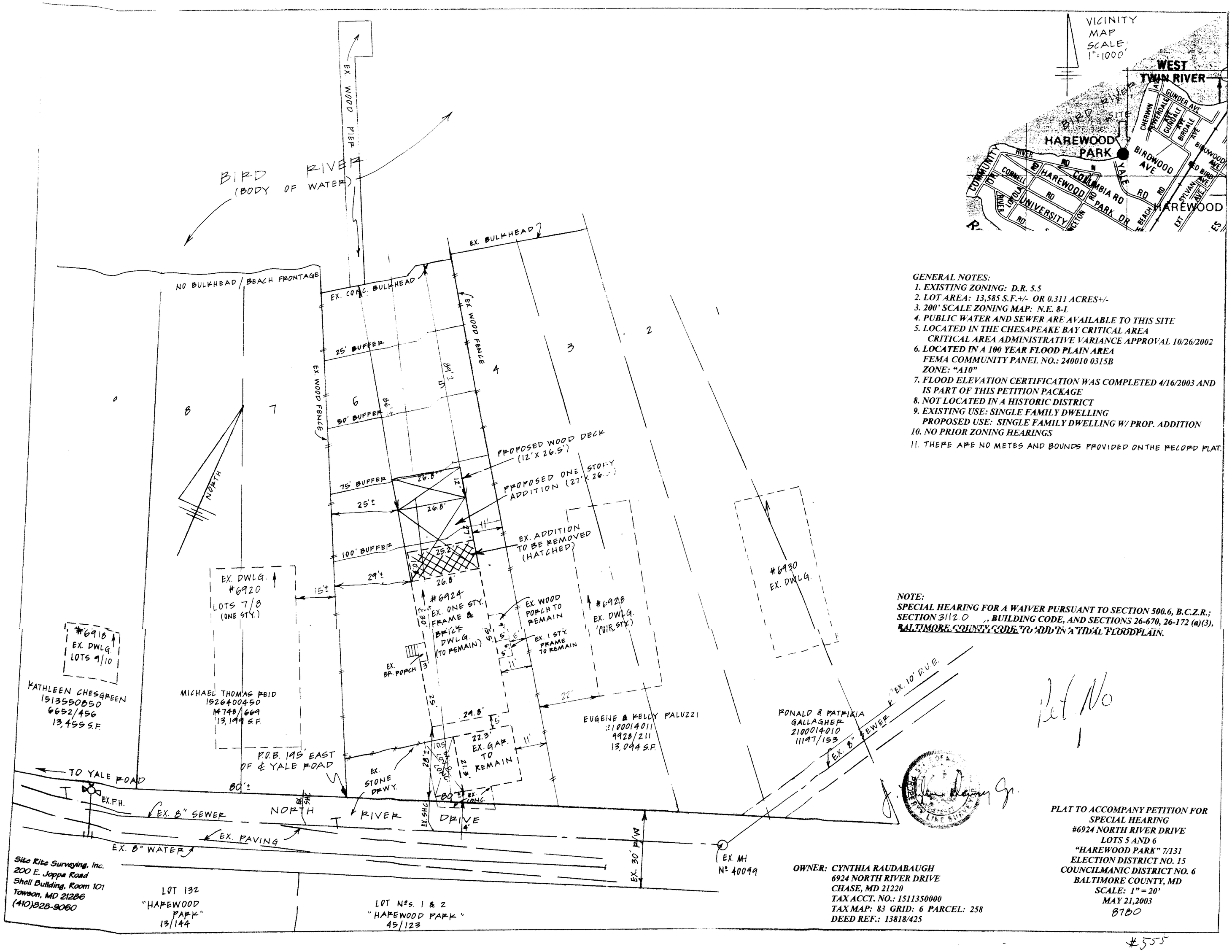
NOTE:
SPECIAL HEARING FOR A WAIVER PURSUANT TO SECTION 500.6, B.C.Z.R.; (SECTION 3112.0 .), BUILDING CODE, AND SECTIONS 26-670, 26-172 (a)(3), BALTIMORE COUNTY CODE TO ADD IN A TIDAL FLOODPLAIN.

Pet No 2

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

OWNER: CYNTHIA RAUDABAUGH
6924 NORTH RIVER DRIVE
CHASE, MD 21220
TAX ACCT. NO.: 1511350000
TAX MAP: 83 GRID: 6 PARCEL: 258
DEED REF.: 13818/425

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING
#6924 NORTH RIVER DRIVE
LOTS 5 AND 6
"HAREWOOD PARK" 7/131
ELECTION DISTRICT NO. 15
COUNCILMANIC DISTRICT NO. 6
BALTIMORE COUNTY, MD
SCALE: 1" = 20'
MAY 21,2003
8780
REVISED 07-09-03



GENERAL NOTES:

1. *EXISTING ZONING: D.R. 5.5*
2. *LOT AREA: 13,585 S.F.+/- OR 0.311 ACRES+/-*
3. *200' SCALE ZONING MAP: N.E. 8-I*
4. *PUBLIC WATER AND SEWER ARE AVAILABLE TO THIS SITE*
5. *LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA*
   CRITICAL AREA ADMINISTRATIVE VARIANCE APPROVAL 10/26/2002
6. *LOCATED IN A 100 YEAR FLOOD PLAIN AREA*
   FEMA COMMUNITY PANEL NO.: 240010 0315B
   ZONE: "A10"
7. *FLOOD ELEVATION CERTIFICATION WAS COMPLETED 4/16/2003 AND IS PART OF THIS PETITION PACKAGE*
8. *NOT LOCATED IN A HISTORIC DISTRICT*
9. *EXISTING USE: SINGLE FAMILY DWELLING*
   PROPOSED USE: SINGLE FAMILY DWELLING W/ PROP. ADDITION
10. *NO PRIOR ZONING HEARINGS*
11. THERE ARE NO METES AND BOUNDS PROVIDED ON THE RECORD PLAT.

NOTE:
SPECIAL HEARING FOR A WAIVER PURSUANT TO SECTION 500.6, B.C.Z.R.; SECTION 3112.0 ,, BUILDING CODE, AND SECTIONS 26-670, 26-172 (a)(3), BALTIMORE COUNTY CODE TO ADD IN A TIDAL FLOODPLAIN.

Plat No 1

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

OWNER: CYNTHIA RAUDABAUGH
6924 NORTH RIVER DRIVE
CHASE, MD 21220
TAX ACCT. NO.: 1511350000
TAX MAP: 83 GRID: 6 PARCEL: 258
DEED REF.: 13818/425

PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING
#6924 NORTH RIVER DRIVE
LOTS 5 AND 6
"HAREWOOD PARK" 7/131
ELECTION DISTRICT NO. 15
COUNCILMANIC DISTRICT NO. 6
BALTIMORE COUNTY, MD
SCALE: 1" = 20'
MAY 21,2003
8780

#555

SITE DATA

EXISTING ZONING AND MAXIMUM DENSITY PERMITTED

Zone	Acres	Units Allowed	Units Proposed
DR 2H	7.89	5	5
RO	1.7	6	2
Total	9.06	2	7

SITE DEVELOPMENT PROPOSAL

Dwelling Type	Proposed Units	Parking Required	Parking Proposed	Phase	Development Schedule
Single Family	7	34	34		6/2004
Total	7	34	34		

OPEN SPACE PROPOSAL

Open Space Type	Acres
Local Open Space	WAIVER
Baltimore County Greenway/Easement	N/A
Stormwater Management	0.66±
Total Provided	0.66±

ADDITIONAL INFORMATION

Anticipated Actions

Variances/Honeygo Special Variances

Variances from *Baltimore County Zoning Regulations* (BCZR) as follows i) from § 259 9B 4 b to permit a front yard setback for the existing dwelling to remain 24 feet in lieu of the 40 feet required, ii) from § 259 9F 4 to permit a cul-de-sac with a length of 800 ± feet in lieu of the 400 foot maximum, iii) to permit the design, size, location, shape, configuration, continued use and any further improvement of the existing dwelling and garage which pre-date the adoption of the design requirements in BCZR § 259, and iv) for such further relief as the nature of this case and development may require

Honeygo Special Variances from *Baltimore County Zoning Regulations* (BCZR), pursuant to Sections 259 8 and 4A02 d[F]G, as follows i) from §259 7, the Threshold Limits - Honeygo Area to permit the issuance of residential building permits for construction of single-family homes as shown on the development plan entitled *Hagan/Hall Property* and any and all amendments thereto approved or proposed, ii) from § 259 7S 1 to permit the sewerage system for the proposed lots to be connected to a sewerage interceptor outside of the Honeygo Area and iii) for such further relief as the nature of this case and development may require

Waivers NONE

Special Exceptions NONE

Other NONE

Consistency with design manuals YES

COMBINED HONEYGO OVERLAY DISTRICT-SINGLE FAMILY DETACHED DWELLING SETBACKS AND LOT WIDTHS CHART

DESCRIPTION	DR 1H & DR 2H ZONES (IN FEET)	DR 3.5, DR 5.5, DR 10.5 & RC ZONES (IN FEET)
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 N FRONT YARD	0	0
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 N FRONT YAR	40	40'
FROM FRONT BUILDING FACE TO PROPERTY LINE (NOT A STREET LINE)	25	25
FROM BUILDING FACE (FRONT, SIDE OR REAR) TO 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 SE BACK AREA)	30 (37.5 FOR UNROOFED ADDITIONS 40' FOR ROOFED ADDITIONS)	30 (37.5 FOR UNROOFED ADDITIONS,40' FOR ROOFED ADDITIONS)
FROM BUILDING FACE (FRONT, SIDE OR REAR) TO SIDE YARD LOT LINE THAT IS NO ADJACENT TO A PUBLIC RIGHT-OF-WAY OR THE SAME AS A PUBLIC RIGHT OF WAY IF THE DWELLING UNIT IS DESIGNATED TO HAVE A SIDE OR REAR ENTRY GARAGE	6 (SUM OF ALL SIDE YARD WIDTHS MAY NOT BE LESS THAN 20 FEET)	6 (SUM OF ALL SIDE YARD WIDTHS MAY NOT BE LESS THAN 20 FEET)
FRONT ENTRY GARAGE SHALL BE RECESSED 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 MATERIALS AS THE FRONT FACADE OF THE BUILDING)	8' MINIMUM	8' MINIMUM
FROM SIDE BUILDING FACE TO SIDE BUILDING FACE	30' SEPARATION	16' SEPARATION (FOR BLDGS <20' HEIGHT) 20' SEPARATION (FOR BLDGS >20' HEIGHT)
FROM SIDE BUILDING FACE TO PAVING OF A PRIVATE ROAD	30'	25'
FROM SIDE BUILDING FACE TO TRACT BOUNDARY	25'	15'
MINIMUM WIDTH FOR ANY SINGLE FAMILY DETACHED LOT AS MEASURED ALONG BOTH THE FRONT WALL AND REAR WALL OF THE DWELLING UNIT	85'	85

THIS TABLE LISTS MINIMUM SETBACK REQUIREMENTS FOR URBAN RESIDENTIAL USE IN THE HONEYGO OVERLAY DISTRICT FOR A FULLER EXPLANATION OF THESE AND OTHER REQUIREMENTS, CONSULT THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICY (CMDP) AND SECTION 259 9 B AND 259 9 C OF THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR)

SETBACK CHART TO BE USED FOR THE PORTION OF THE PROPERTY ZONED RO (USE DR 5 5)

SINGLE FAMILY DETACHED DWELLING SETBACKS AND LOT WIDTHS

DESCRIPTION	DR 1H & DR 2H ZONES (IN FEET)	DR 3.5, DR 5.5, DR 10.5 & RC ZONES (IN FEET)	LDRM & ZONES (IN FEET)	RMHP ZONES (IN FEET)
FROM FRONT BUILDING FACE TO PUBLIC STREET RIGHT-OF-WAY OR PROPERTY LINE	25	25	25	5
FROM RIGHT OF WAY OF COLLECTOR STREET	-	-	-	25
FROM SIDE BUILDING FACE TO SIDE BUILDING FACE	30	6<20 30>20 HIGH	6	16<20 20>20 HIGH
FROM SIDE BUILDING FACE TO PUBLIC STREET RIGHT-OF-WAY	25	8	5	15
FROM SIDE BUILDING FACE TO PAVING OF A PRIVATE ROAD	30	25	25	25
FROM SIDE BUILDING FACE TO TRACT BOUNDARY	25	15	5	5
FROM REAR BUILDING FACE TO REAR PROPERTY LINE	30	30	40	50
FROM REAR BUILDING FACE TO PUBLIC STREET RIGHT-OF-WAY	30	30	30	50
ADDITIONAL SETBACKS SETBACKS FOR BUILDINGS LOCATED ADJACENT TO ARTERIAL ROADWAYS SHALL BE INCREASED BY AN ADDITIONAL 20 FEET				
MAXIMUM BUILDING HEIGHT	50	50	50	50

THIS TABLE LISTS MINIMUM SETBACK REQUIREMENTS AND BUILDING HEIGHTS FOR URBAN RESIDENTIAL USE FOR A FULLER EXPLANATION OF THESE AND OTHER REQUIREMENTS CONSULT THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP)

ENVELOPES OR TYPICAL DWELLINGS AS SHOWN DICTATE A SPECIFIC ORIENTATION WHICH IS INTENDED TO ALLOW COMPLIANCE WITH BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES SHOULD THE ORIENTATION CHANGE OR CREATE CONFLICTS WITH THE REGULATIONS OR POLICIES, THE ORIENTATION MUST BE CHANGED TO ALLEVIATE THE CONFLICT

SITE AREA CALCULATION

NET TRACT AREA	9 06 ACRES
ALLOWANCE FOR ROAD FRONTAGE [(0' X 0')/43560]	0 00 ACRES
GROSS AREA	9 06 ACRES

THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE 1971 THE DEVELOPER'S ENGINEER OR SURVEYOR 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

SECTION 259 9 DEVELOPMENT STANDARDS FOR HIGH DENSITY OVERLAY DISTRICTS (BILL NO 76-1994)
THESE STANDARDS ARE NEEDED TO BE SECTIONS TO MODIFICATIONS OF AND EXCEPTIONS FROM THE STANDARDS REQUIRED BY THE UNDERLYING ZONING CLASSIFICATION THE UNDERLYING ZONING CLASSIFICATIONS TO BE REFERRED TO IN ACCORDANCE WITH SUBSECTION C (SEE SECTION 259 9 1 THROUGH 259 9 4 BELOW OF THIS SECTION

SECTION 259 9 C (BILL NO 73-999
ACCESSORY STRUCTURES, INCLUDING BUT NOT LIMITED TO SOLAR PANELS, ANTENNAS, SATELLITE DISHES TRASH CANS AND STORAGE SHEDS ARE NOT PERMITTED IN THE FRONT YARD OF ANY PRINCIPAL USE

SECTION 259 9 3 1 (BILL NOS 40-1997, 73-1999)
EXCEPT FOR NON RESIDENTIAL PRINCIPAL BUILDINGS OR USES, AND THEIR ACCESSORY PARKING THE REQUIREMENTS OF SECTION 80 1 9 (RESIDENTIAL TRANSITION AREAS) OF THESE REGULATIONS DO NOT APPLY

SECTION 259 9 3 1 (BILL NOS 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 4 (BILL NOS 40-1997, 73-1999)
EXCEPT AS PROVIDED IN THIS SECTION, THE PROVISIONS OF SECTION 1B0 2 2 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 C3 (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 THE 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 C4 (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 C5
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 C6
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 C7
ROOFS SHALL BE PITCHED IN ACCORDANCE WITH THE HONEYGO OVERLAY DISTRICT DESIGN GUIDELINES

SECTION 259 9 C8
STORMWATER MANAGEMENT POND SLOPES, WHERE MANAGEMENT IS NOT PROVIDED THROUGH A REGIONAL FACILITY, SHALL NOT EXCEED A RATIO OF 3 1

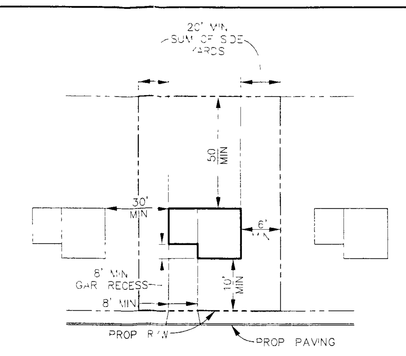
SECTION 259 9 C9
ROOFTOP EQUIPMENT SHALL BE SCREENED SO IT IS NOT VISIBLE FROM THE GROUND LEVEL OF ADJACENT BUILDINGS

SECTION 259 9 G1
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 G2
WHERE THE PROVISIONS OF THIS SECTION (SECTION 259 9, BCZR) ARE SILENT, THE PROVISIONS OF THESE REGULATIONS GOVERNING THE UNDERLYING ZONE SHALL APPLY

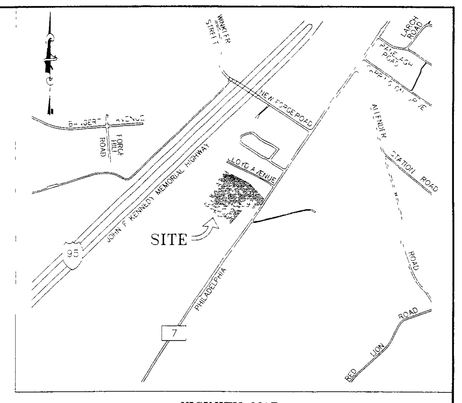
SECTION 259 9 G3 (BILL NO 40-1997)
IN ADDITION TO THE REQUIREMENTS OF THIS SECTION, RESIDENTIAL AND COMMERCIAL DEVELOPMENT IN THE AREA SHALL BE SUBJECT TO THE HONEYGO OVERLAY DISTRICTS DESIGN GUIDELINES

SECTION 259 9 G4
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

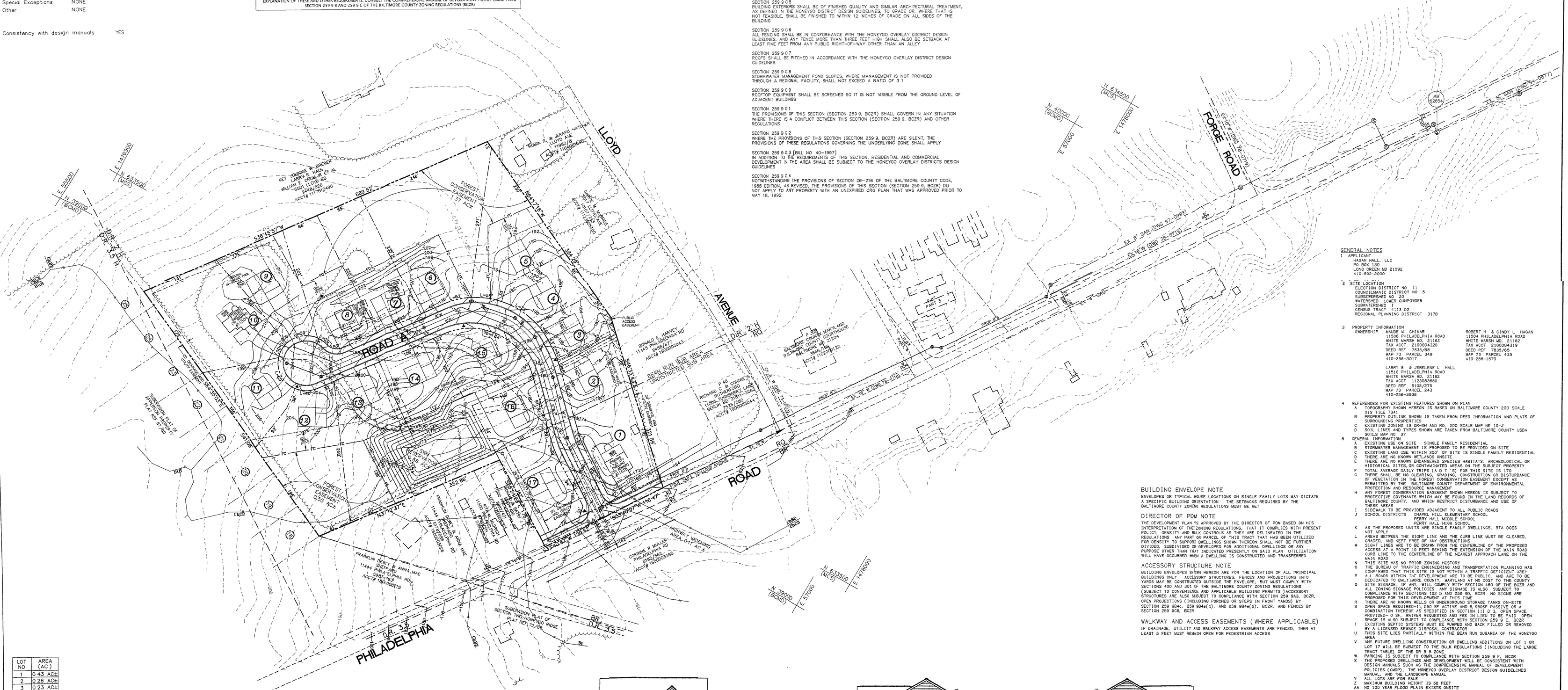


PROPOSED TYPICAL FRONT ENTRY GARAGE LOT LAYOUT DETAIL
1"=50'

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 CONFLICTS WITH THE REGULATIONS OR POLICIES, THE LOCATION AND ORIENTATION MUST BE CHANGED TO ALLEVIATE THE CONFLICT



VICINITY MAP
1"=1000'



LOT NO	AREA (AC)
1	0.43 AC±
2	0.26 AC±
3	0.23 AC±
4	0.25 AC±
5	0.52 AC±
6	0.98 AC±
7	0.46 AC±
8	0.45 AC±
9	0.40 AC±
10	0.66 AC±
11	0.32 AC±
12	0.64 AC±
13	0.49 AC±
14	0.30 AC±
15	0.30 AC±
16	0.23 AC±
17	0.37 AC±

THIS SITE IS PARTIALLY WITHIN THE HONEYGO OVERLAY DISTRICT H AND IS PARTIALLY WITHIN THE BEAN RUN SUBAREA AND IS SUBJECT TO THE APPLICABLE HONEYGO DEVELOPMENT STANDARDS, THE RESIDENTIAL PERFORMANCE STANDARDS, AS WELL AS OTHER BALTIMORE COUNTY ZONING REGULATIONS, PURSUANT TO SECTION 259.9G AND SECTION 260, BCZR.

GENERAL NOTES

1 APPLICANT
HAGAN HALL, LLC
PO BOX 130
LONG GREEN MD 21092
410-592-2000

2 SITE LOCATION
ELECTION DISTRICT NO 11
COUNCILMANIC DISTRICT NO 5
SUBSEWERSHED NO 20
WATERSHED LOWER GUNPOWDER
SUBWATERSHED 1
CENSUS TRACT 4113.02
REGIONAL PLANNING DISTRICT 317B

3 PROPERTY INFORMATION
OWNERSHIP
MAUREE M CHIKAKR
11506 PHILADELPHIA ROAD
WHITE MARSH MD. 21162
TAX ACCT 2100004320
DEED REF 7835/68
MAP 73 PARCEL 349
410-258-3017

ROBERT H & CINDY L. HAGAN
11504 PHILADELPHIA ROAD
WHITE MARSH MD. 21162
TAX ACCT 2100004319
DEED REF 7835/65
MAP 73 PARCEL 435
410-256-1579

LARRY R & JERELENE L. HALL
11510 PHILADELPHIA ROAD
WHITE MARSH MD. 21162
TAX ACCT 1123053650
DEED REF 3105/275
MAP 73 PARCEL 243
410-256-3938

4 REFERENCES FOR EXISTING FEATURES SHOWN ON PLAN
A TOPOGRAPHY SHOWN HEREON IS BASED ON BALTIMORE COUNTY 200 SCALE GIS TILE 73A1
B PROPERTY OUTLINE SHOWN IS TAKEN FROM DEED INFORMATION AND PLATS OF SURROUNDING PROPERTIES
C EXISTING ZONING IS DR-2H AND RO, 200 SCALE MAP NE 10-J
D SOIL LINES AND TYPES SHOWN ARE TAKEN FROM BALTIMORE COUNTY USDA SOILS MAP NO 37

5 GENERAL INFORMATION
A EXISTING USE ON ON SITE SINGLE FAMILY RESIDENTIAL
B STORMWATER MANAGEMENT IS PROPOSED TO BE PROVIDED ON SITE
C EXISTING LAND USE WITHIN 200' OF SITE IS SINGLE FAMILY RESIDENTIAL
D THERE ARE NO KNOWN WETLANDS ONSITE
E THERE ARE NO KNOWN ENDANGERED SPECIES HABITATS, ARCHEOLOGICAL OR HISTORICAL SITES, OR CONTAMINATED AREAS ON THE SUBJECT PROPERTY
F TOTAL AVERAGE DAILY TRIPS (A D T S) FOR THIS SITE IS 170
G THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
H ANY FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY, AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS
I SIDEWALK TO BE PROVIDED ADJACENT TO ALL PUBLIC ROADS
J SCHOOL DISTRICTS CHAPEL HILL ELEMENTARY SCHOOL
PERRY HALL MIDDLE SCHOOL
PERRY HALL HIGH SCHOOL
K AS THE PROPOSED UNITS ARE SINGLE FAMILY DWELLINGS, RTA DOES NOT APPLY
L AREAS BETWEEN THE SIGHT LINE AND THE CURB LINE MUST BE CLEARED, GRADED, AND KEPT FREE OF ANY OBSTRUCTIONS
M SIGHT LINES ARE TO BE DRAWN FROM THE CENTERLINE OF THE PROPOSED ACCESS AT A POINT 10 FEET BEHIND THE EXTENSION OF THE MAIN ROAD CURB LINE TO THE CENTERLINE OF THE NEAREST APPROACH LANE ON THE MAIN ROAD
N THIS SITE HAS NO PRIOR ZONING HISTORY
O THE BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THIS SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA
P ALL ROADS WITHIN THE DEVELOPMENT ARE TO BE PUBLIC, AND ARE TO BE DEDICATED TO BALTIMORE COUNTY, MARYLAND AT NO COST TO THE COUNTY
Q SITE SIGNAGE, IF ANY, WILL COMPLY WITH SECTION 450 OF THE BCZR AND ALL ZONING SIGNAGE POLICIES ANY SIGNAGE IS ALSO SUBJECT TO COMPLIANCE WITH SECTIONS 102 5 AND 259 9G, BCZR NO SIGNS ARE PROPOSED FOR THIS DEVELOPMENT AT THIS TIME
R THERE ARE NO KNOWN WELLS OR UNDERGROUND STORAGE TANKS ON-SITE
S OPEN SPACE REQUIRED=11,050 SF ACTIVE AND 5,950SF PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION 111 D 3, OPEN SPACE PROVIDED= 0 SF, WAIVER REQUESTED AND FEE IN LIEU TO BE PAID OPEN SPACE IS ALSO SUBJECT TO COMPLIANCE WITH SECTION 259 9 E, BCZR
T EXISTING SEPTIC SYSTEMS MUST BE PUMPED AND BACK FILLED OR REMOVED BY A LICENSED SEWAGE DISPOSAL CONTRACTOR
U THIS SITE LIES PARTIALLY WITHIN THE BEAN RUN SUBAREA OF THE HONEYGO AREA
V ANY FUTURE DWELLING CONSTRUCTION OR DWELLING ADDITIONS ON LOT 1 OR LOT 17 WILL BE SUBJECT TO THE BULK REGULATIONS (INCLUDING THE LARGE TRACT TABLE) OF THE DR 5 5 ZONE
W PARKING IS SUBJECT TO COMPLIANCE WITH SECTION 259 9 F, BCZR
X THE PROPOSED DWELLINGS AND DEVELOPMENT WILL BE CONSISTENT WITH DESIGN MANUALS SUCH AS THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP), THE HONEYGO OVERLAY DISTRICT DESIGN GUIDELINES MANUAL, AND THE LANDSCAPE MANUAL
Y ALL LOTS ARE FOR SALE
Z MAXIMUM BUILDING HEIGHT IS 50 FEET
AA NO 100 YEAR FLOOD PLAIN EXISTS ONSITE
BB A LANDSCAPE PLAN WILL BE APPROVED PRIOR TO BUILDING PERMIT APPLICATION
CC THE SITE IS NOT LOCATED WITHIN ANY DEFICIENT AREAS AS DICTATED BY THE BASIC SERVICES MAPS PURSUANT TO SECTION 4A02, BCZR
DD PRIOR TO RECORD PLAT, THE EXISTING WELL SHALL BE BACK FILLED BY A LICENSED MASTER WELL DRILLER AND A WELL ABANDONMENT REPORT SHALL BE SUBMITTED TO DEPRM
EE ALL STRUCTURES INDICATED TO BE RAZED WILL BE THE RESPONSIBILITY OF THE DEVELOPER
FF ALL FENCING SHALL BE IN CONFORMANCE WITH THE HONEYGO OVERLAY DISTRICT DESIGN GUIDELINES, AND ANY FENCE MORE THAN THREE FEET HIGH SHALL ALSO BE SETBACK AT LEAST FIVE FEET FROM ANY PUBLIC RIGHT-OF-WAY OTHER THAN AN ALLEY LANDSCAPING SHALL BE PROVIDED ON THE STREET SIDE OF THE FENCE NO FENCING IS PROPOSED FOR THIS DEVELOPMENT AT THIS TIME
GG EVERGREEN SCREENING WILL BE PLANTED ALONG THE REAR PROPERTY LINES ON LOTS 2, 3, 4, AND 5 SO AS TO COMPLETELY SCREEN THE REAR OF SAID LOTS FROM PUBLIC VIEW ALONG LLOYD AVENUE

BUILDING ENVELOPE NOTE

ENVELOPES OR TYPICAL HOUSE LOCATIONS ON SINGLE FAMILY LOTS MAY DICTATE A SPECIFIC BUILDING ORIENTATION THE SETBACKS REQUIRED BY THE BALTIMORE COUNTY ZONING REGULATIONS MUST BE MET

DIRECTOR OF PDM NOTE

THE 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 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

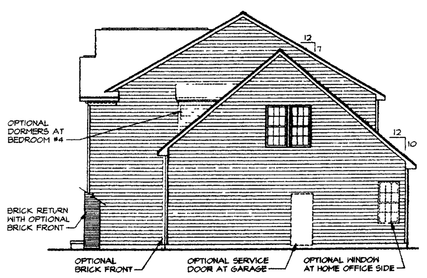
ACCESSORY STRUCTURE NOTE

BUILDING 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 CONVENIENCE AND APPLICABLE BUILDING PERMITS) ACCESSORY STRUCTURES ARE ALSO SUBJECT TO COMPLIANCE WITH SECTION 259 9A3, BCZR, OPEN PROJECTIONS (INCLUDING PORCHES OR STEPS IN FRONT YARDS) BY SECTION 259 9B4c, 259 9B4e(1), AND 259 9B4e(2), BCZR, AND FENCES BY SECTION 259 9C6, BCZR

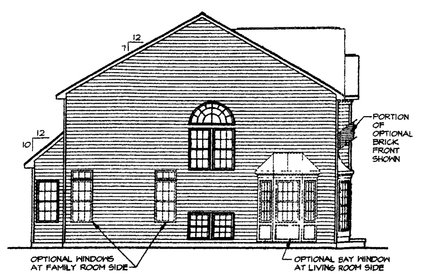
WALKWAY AND ACCESS EASEMENTS (WHERE APPLICABLE)

IF DRAINAGE, UTILITY AND WALKWAY ACCESS EASEMENTS ARE FENCED, THEN AT LEAST 5 FEET MUST REMAIN OPEN FOR PEDESTRIAN ACCESS

FRONT ELEVATION
NOT TO SCALE



RIGHT SIDE ELEVATION
NOT TO SCALE



LEFT SIDE ELEVATION
NOT TO SCALE

LITTLE & ASSOCIATES, INC.
ENGINEERS~~LAND PLANNERS~~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE·(410)296-1636 FAX (410)296-1639

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

STATE OF MARYLAND
G. DWIGHT LITTLE, JR.
No. 9819
PROFESSIONAL ENGINEER

NOTE:
I, G DWIGHT LITTLE, JR. CERTIFY UNDER OATH THAT TO THE BEST OF MY KNOWLEDGE, 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

REVISIONS	
DATE	DESCRIPTIONS

DEVELOPMENT PLAN
AND
PLAN TO ACCOMPANY ZONING PETITIONS

HAGAN/HALL PROPERTY

DISTRICT 11C5 BALTIMORE COUNTY,MD
SCALE. 1"=60' SEPTEMBER 3, 2003
PDM #XI-901

CTM #150