IN RE: DEVELOPMENT PLAN HEARING

AND HONEYGO SPECIAL

PETITION FOR VARIANCE

E/S of Cowenton Avenue

@ E end of Hornago Avenue

11th Election District

5th Councilmanic District

Harvard Land Holdings LLC

Developer/Petitioner

(MISTY MEADOWS)

BEFORE THE

\* HEARING OFFICER

\* OF BALTIMORE COUNTY

\* Case Nos. XI-946 & 04-297-SAH

\* \* \* \* \* \* \*

#### HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

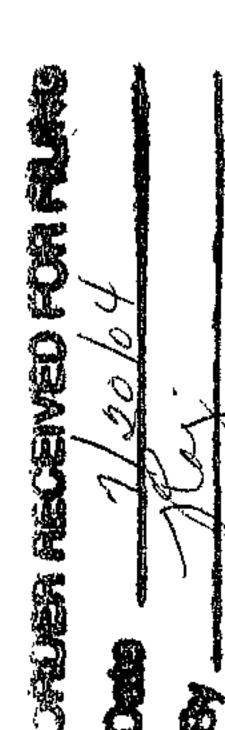
\*

This matter comes before this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, as a requested approval of a Redlined Development Plan known as "Misty Meadows", prepared by George W. Stephens, Jr. & Associates, Inc. The Developer is proposing to develop the subject property into 15 single-family dwellings. The subject property is located on the east side of Cowenton Avenue at the east end of Hornago Avenue. The particulars of the manner in which the property is proposed to be developed are more specifically shown on Developer's Exhibit No. 1, the Redlined Development Plan entered into evidence at the hearing.

In addition to seeking approval of the Redlined Development Plan, the Petitioner has also requested Honeygo Special Variance relief from Section 259.75 of the Baltimore County Zoning Regulations (B.C.Z.R.) pursuant to the standards of Section 4A02.4.G for a Honeygo Special Variance to permit Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 to be connected to a sewer interceptor in an adjacent subarea. (Reference Bill No. 79-03).

The property was posted with Notice of the Hearing for the Honeygo Special Variance and Development Plan on January 15, 2004 for 20 working days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning Hearing was published in "the Jeffersonian" newspaper on January 29, 2004, to notify any interested persons of the scheduled hearing date.

Appearing at the hearing on behalf of the Development Plan approval request was Ron Chadsey, appearing on behalf of George W. Stephens, Jr. & Associates, Inc, the engineering firm



The lot contracts

who prepared the Development Plan, and Craig Rodgers appeared on behalf of the Petitioners. Benjamin Bronstein, Esquire represented the Petitioners at the hearing.

Appearing as interested citizens in the matter were William Libercci, Perry Hall Improvement Association and Robert Libby adjacent property owner.

Also in attendance were representatives of the various Baltimore County reviewing agencies; namely, Jeff Perlow (Zoning Review), Phil Martin (Development Plans Review), Walt Smith (Development Management) and Bill Miner (Bureau of Land Acquisition), all from the Office of Permits & Development Management; R. Bruce Seeley from the Department of Environmental Protection and 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 held on September 22, 2003 at 10:00 a.m. and a Community Input Meeting followed that same evening at 7:00 p.m. at the White Marsh Public Library. A Development Plan Conference was held on January 21, 2004 and a Hearing Officer's Hearing was held on February 13, 2004 in Room 106 of the County Office Building.

#### Developer Issues

The Developer presented no issues and requested the plan be approved as presented.

#### County Issues

The Planning Office noted 13 issues, which primarily had to do with Pattern Book submissions, eliminating retaining walls, landscaping generally, and Lot 3. These issues were presented to the Developer in that office's January 21, 2004 comments. The Planning Office representative suggested and the Developer agreed to keep the record open in regard to these issues and believed the parties could resolve the issues in a relatively short time. Neither the Planning Office nor the Developer waived its right to a hearing before this Commission if the issues could not be resolved.

The Plans Review/Department of Public Works Department representative raised issues regarding the location of inlets on Street A, removing retaining walls, temporary turn-around on

street, and highway widening on Cowenton Avenue. The representative indicated the department's approval of allowing sewerage generated in the Bird River subarea to be diverted to the Honeygo subarea by gravity, as this subarea has sufficient capacity to accept same. See letter from Robert Bowling to Developer's engineer dated February 12, 2004. Again, the Department and Developer agreed to keep the record open in order to resolve these matters without waiving their right to a hearing.

The Zoning Office representative submitted its list of comments. See memo from Permits and Development Management, Office of Zoning dated February 13, 2004. The representative indicated that several outstanding issues could be resolved at the Final Development Plan stage, but that the issue of community signs on storm water management facilities needed to be resolved at this stage. Whereupon the Developer agreed to eliminate the signs on these facilities thereby making this change an additional Redline Plan change.

The representative of DEPRM indicated that certain necessary information has not been received from the Developer's engineer regarding forest conservation and that the department had not determined that the proposed storm drain design contained a suitable outfall. Again, the department and Developer agreed to keep the record open to resolve these matters without waiving their right to a hearing.

The representative for Recreation & Parks indicated that the Developer had requested to pay a fee in lieu of providing open space but that his department had not yet approved this request. Again, the department and Developer agreed to keep the record open to resolve these matters without waiving their right to a hearing.

The Bureau of Land Acquisition's representative indicated the plan met its requirements.

#### Community Issues

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Mr. Libby, an adjacent property owner, noted that the listing of the names of adjacent property owners were incorrect and raised an issue of whether or not the true owners of adjacent properties were notified as required by the Code. The Developer's engineer indicated that even though the names were apparently listed incorrectly, all the owners were notified. Mr. Libby

expressed concerns regarding storm water runoff from the property after development occurs, as there had been no problem beforehand. He deferred to the suitable outfall issue that DEPRM had raised. Finally, he questioned why roads shown on the plan connected to other roads in the area which could increase traffic. The Developer's engineer noted that the Honeygo regulations require such connections.

Mr. Libercci, representative of the Perry Hall Community Association, expressed no concerns regarding the plan as long as the sewerage flowed by gravity into the Honeygo subarea system.

#### Subsequent Issue Resolution

#### **DEPRM**

The representative of the Department of Environmental Protection and Resource Management noted in his June 23, 2004 letter to the undersigned and included in the record of this case, that all open issues with his agency had been resolved.

#### Zoning

The representative of the Zoning Office indicated all of that office's issues had been resolved as shown in the July 9, 2004 memo attached and made part of the record of this case.

#### Development Plans Review

The representative of this office indicated that all of that office's issues had been resolved as shown in the July 9, 2004 memo attached hereto and made part of the record of this case.

#### Recreation & Parks

The representative of Recreation & Parks indicated that his office had approved a waiver of local open space and payment of fee in lieu thereof on March 9, 2004 as shown in the July 8, 2004 memo attached hereto and made part of the record of this case

#### **Planning**

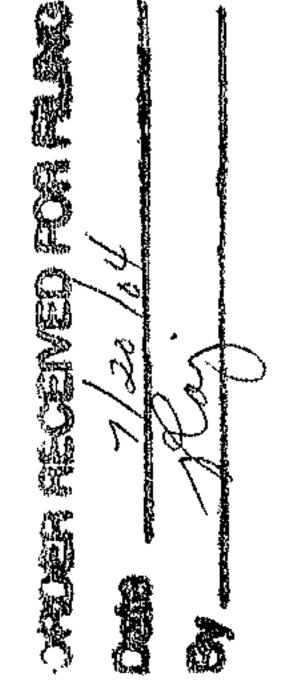
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The project manager for this subdivision indicated that all Office of Planning issues had been resolved as shown in the July 9, 2004 memo attached hereto and made part of the record of this case.

#### Applicable Law Development Plan

#### 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;
  - (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.



#### Testimony and Evidence

The property on which the development is proposed consists of 5.396 acres, more or less, and is zoned D.R.-3.5H. The developer proposes a 15-lot subdivision, which would be surrounded by other new subdivisions of approximately the same size. For example, the Moore's Meadow subdivision is to the north. New subdivisions are likely to the west and south. As a result, this subdivision's public roads would connect to those likely subdivisions pursuant to the Honeygo regulations. Since neither likely subdivision is presently in process, the Developer has proposed a temporary turn-around at the end of each public road. See Developer's Exhibit No. 1.

Mr. Chadsey, the Developer's engineer, testified that the plan meets all County regulations except those open issues set forth above. He took issue with some of the County representative's assertions mentioned above, but indicated that he agreed to hold the record open to resolve each. Otherwise, he indicated that the Redline Plan met all County regulations and should be approved.

Memoranda from Recreation & Parks, Zoning, Development Plans Review and the project manager indicated that all County agencies had resolved all open issues as of July 9, 2004.

#### Subsequent Development Plan

The Developer's engineer submitted a modified development plan with final revisions dated July 8, 2004. See Developer's Exhibit No. 2. The Developer indicated that this plan met all County agency regulations and incorporated and resolved all open items.

#### Honeygo Special Variance

#### Applicable Law

1. Section 259.4 Statement of Legislative Intent for Honeygo Area

#### and H and H1 Overlay Districts

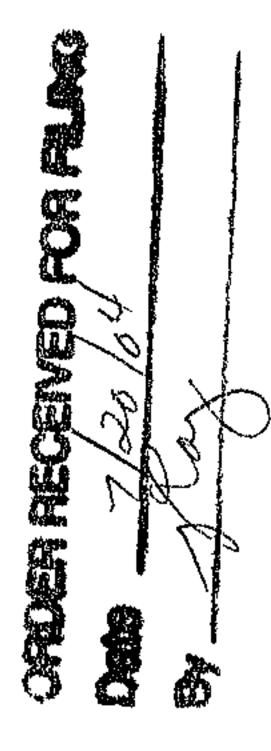
The Honeygo Area and the H and H1 Overlay Districts are established to implement the Honeygo Area Plan, an amendment to the Master Plan 1989-2000. The area is created to ensure that the development of infrastructure will coincide with the approval of building permits. The districts are to provide for 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.

#### 2. Section 259.8

The Zoning Commissioner may not grant a variance from the standards established in Section 259.7 as provided in Section 4a.02.4.g of these regulations, unless the variance request involves property that is bisected by two or more subareas identified in Section 259.7, or property that is the subject of a concept plan that was accepted for filing by the Department of Permits and Development Management prior to August 4, 2003. 3. Subsection G Petitions for special variance from provisions of this subsection.

#### 3. Section 4A02 G Petitions for Special Variance

- 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 the 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.2.b.
- 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.



#### Testimony and Evidence - Special Variance

There was no opposition to this request and in fact the representative of Development Plans Review, speaking for Public Works, spoke in favor of the special variance. Mr Chadsey testified that Lots 1 through 10 and part of Lot 11 drain naturally into the Bird Run subarea system while the other half of Lot 11 and Lots 12 through 15 drain into the Honeygo subarea. Thus, this is one of the rare exceptions noted in Section 259.8 in which the Council eliminated most special variances except where the property is bisected by two or more subareas identified in Section 259.

The Office of Planning and the Department of Public Works have approved sewerage from this site into the Honeygo subarea as indicated by the February 12, 2004 letter from Public Works. Testimony indicated that the Honeygo subarea had more than sufficient capacity to accept this sewerage because the changes in density in the Honeygo zoning reduced the number of units tying into this system.

Mr. Chadsey testified 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. He also testified that the 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.2.b.

#### Findings of Fact and Conclusions of Law

The property is bisected by two subareas and therefore qualifies for the exception to the general prohibition against special variances in the Honeygo area. All evidence indicated that there is more than enough sewer capacity in the receiving subarea to handle the sewerage from this subdivision.

After considering the evidence and testimony in this Honeygo Special Variance case, I find 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. I also find that the 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.2.b. Therefore, I will grant the special variance as requested.

#### Findings of Fact and Conclusions of Law - Development Plan

Having approved the special variance to allow sewerage from a portion of this property to flow to another subarea, and after considering the evidence and testimony in this case, I find that the revised Development Plan dated July 8, 2004 and marked as Developer's Exhibit No. 2 complies with the development regulations and applicable policies, rules and regulations promulgated pursuant to Section 2-416 et seq. of the Code, and that the final approval of this plan is subject to all appropriate standards, rules, regulations, conditions, and safeguards set forth therein. Therefore I will approve the Development Plan.

I recognize Mr. Libby's concern regarding the listing of the names of adjacent property owners incorrectly on the plan. However, all evidence that I have indicates that the owners of adjacent properties were notified as required by the Code. The Developer's engineer indicated that even though the names were apparently listed incorrectly, all the owners were notified.

Mr. Libby expressed concerns regarding storm water runoff from the property after development occurs, as there had been no problem beforehand. He deferred to the suitable outfall issue that DEPRM had raised and as above this was resolved by DEPRM after nearly five months of study..

Finally, he questioned why roads shown on the plan connected to other roads in the area which could increase traffic. The Developer's engineer noted that the Honeygo regulations

require such connections. I agree that this is required in Honeygo.

THEREFORE, IT IS ORDERED, by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, this <u>AO</u> day of July, 2004, that the Development Plan dated July 8, 2004 known as "Misty Meadow", submitted into evidence as "Developer's Exhibit No. 2", be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the requested Honeygo Special Variance relief from Section 259.75 of the Baltimore County Zoning Regulations (B.C.Z.R.) pursuant to the standards of Section 4A02.4.G for a Honeygo Special Variance, to permit Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 to be connected to a sewer interceptor in an adjacent subarea (Reference Bill No. 79-03), be and is hereby GRANTED.

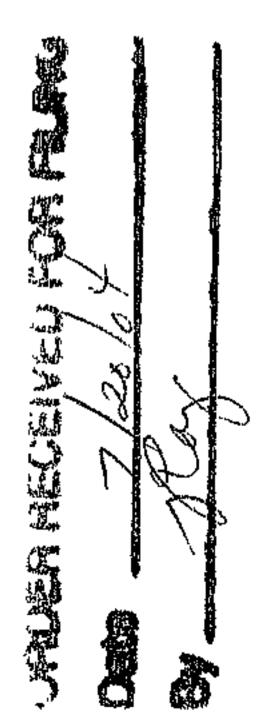
Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code and the applicable provisions of law.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj



### 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

July 20, 2004

Benjamin Bronstein, Esquire Suite 205, Susquehanna Building 29 W. Susquehanna Avenue Towson, Maryland 21204

> Re: Hearing Officer's Hearing Case Nos. XI-946 & 04-297-SAH Property: E/S of Cowenton Avenue A E end of Hornago Avenue 11th Election District, 5th Councilmanic District (Misty Meadows)

Enclosed please find the decision rendered in the above-captioned cases. The Development Plan for the "Misty Meadows" property and Petition for Special Variance have been approved 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

c: Larry Kopp & Joann Hoblitz, 9029 Cowenton Ave., Perry Hall, MD 21128 Rick Chadsey, P.E., G.W. Stephens, Jr., & Assoc., Inc., 1010 Cromwell Bridge Rd., Towson, MD 21286 Craig Rodgers, 2 Tisbury Ct., Baltimore, MD 21236 William Libercci, 19 Shawn Ct., Baltimore, MD 21236 Robert Libby, 9026 Cowenton Ave., Perry Hall, MD 21128



Visit the County's Website at www.baltimorecountyonline.info



# Petition for Variance

### to the Zoning Commissioner of Baltimore County

for the property located at East side Cowenton at Hornago Ave. (Misty Meadows) which is presently zoned DR 3.5H

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 259.75 pursuant to the standards of 4A02.4.G for a Honeygo Special Variance to permit Lots 1,2,3,4,5,6,7,8,9, 10 and 11 to be connected to a sewer interceptor in an adjacent subarea. (Reference Bill 79-03)

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

- 1. Topography of the property;
- 2. Configuration of the property;
- 3. An for such other reasons as may be demonstrated at the time of hearing.

Property is to be posted and advertised as prescribed by the zoning regulations. 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.

LEGAL OWNER(s): Contract Purchaser/Lessee:
Misty Meadows, LLC
Craig Carlson, Managing Member Name - Type or Print
Signature Ray Carlaw
10045 Red Run Blvd. Suite 150 Address 410-356-9229 Telephone No.
Owings Mills Maryland 21117 City State Zip Code
Attorney For Petitioner:
Benjamin Bronstein Name - Type of Print
Signature
Company
29 Susgnehanna Ave. 410-296-0200 Address Suite 205 Telephone No.
Topport Manufacture 24004
City State Zip Code
SAH
Case No. 7 04-297-45A
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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.

#### Legal Owner(s):

Larry Kopp

Signature  Joann Hoblitz Name - Type or Print Signature  O29 Cowenton Avenue Address Telephone No Perry Hall Maryland 21128 City State Zip Code  Representative to be Contacted: Rick Chadsey, P.E. G.W. Stephens, Jr. & Assoc., Inc. Name  1020 Cromwell Bridge Rd 410-825-8120 Address Telephone No Towson Maryland 21286 City State Zip Code  OFFICE USE ONLY  ESTIMATED LENGTH OF HEARING	5511 McComick Ave., Balto MD 21206	Name - Type of Print
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Reviewed By JNP Date 12/19/03	FOR HEARING Date 12/19/03	UNAVAILABLE FOR Reviewed By



# GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC. CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS 1020 CROMWELL BRIDGE ROAD • TOWSON, MARYLAND 21286-3396

Description of a 5.396 Acre Parcel of Land For Honeygo Special Variance-Bill 79-03 for lots 1-11 of the Misty Meadows development December 12, 2003 Page 1 of 1

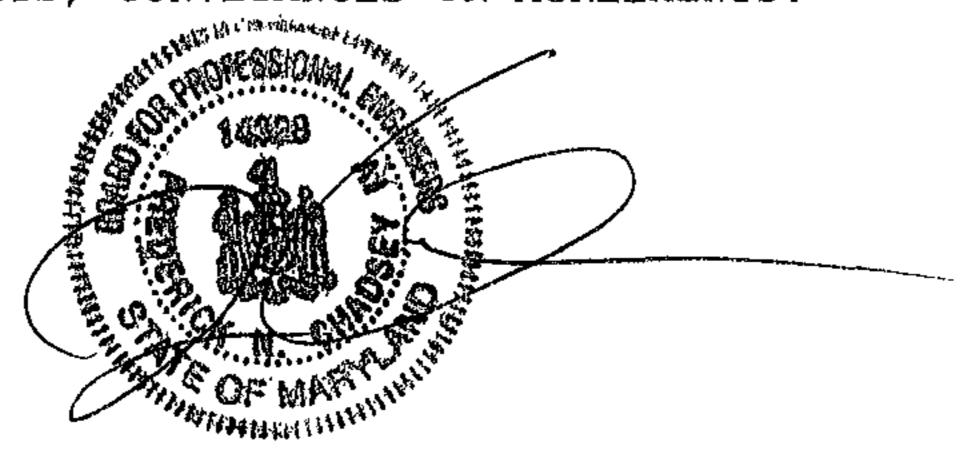
Beginning for the description of a 5.396 Acre area at a point at or near the center of the existing Cowenton Road, said point of beginning having a Maryland State (nad83/91) Coordinate Value of North 630307.42 and East 1410167.66 being measured South 05 degrees 50 minutes 49 seconds West 15.54 feet from the centerline intersection of said Cowenton Road, 22.00 feet wide and Hornago Avenue, running thence leaving said point of beginning the four following courses;

- 1) North 71 degrees 58 minutes 50 seconds East 683.50 feet thence,
- 2) South 07 degrees 22 minutes 10 seconds East 400.67 feet thence,
- 3) South 81 degrees 37 minutes 50 seconds West 704.04 feet to a point shown at or near the center of said Cowenton Road thence,
- 4) North 00 degrees 46 minutes 10 seconds West 288.74 feet to the point of beginning.

Containing 235,049.76 Square Feet or 5.396 Acres of Land more or less.

The above bearings are based on the Maryland State Coordinate System (NAD83/91).

NOTE: THE ABOVE DESCRIPTION IS FOR ZONING PURPOSES ONLY AND IS NOT TO BE USED FOR CONTRACTS, CONVEYANCES OR AGREEMENTS.



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04-297-SHA

			CASHIER'S VALIDATION
BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE	RECEIVED THE WORL TO THE CONTRACT TO THE CENTED THE PARTY OF THE PARTY	DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

#### CORRECTED NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimbre 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: #04-297-SAH

East side of Cowenton Avenue at Hornago Avenue (Misty Meadows)

E/side of Cowenton Avenue opposite of Hornago Avenue

11th Election District — 5th Councilmanic District

Legal Owner(s): Lamy Kopp and Joann Hobiltz and Misty

Meadows, LLC

Special Variance Honevoo: to permit Lots of

Special Variance Honeygo: to permit Lots 1,2,3,4,5,6,7,8,9,10 and 11 to be connected to a sewer interceptor in an adjacent subarea.

Hearing: Friday, February 13, 2004 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; C647064

## CERTIFICATE OF PUBLICATION

130,2004
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 129,2004.
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
□ North County News
1 Willen Son
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## CERTIFICATE OF POSTING

RE: Case No.: 04-297-SAH Petitioner/Developer: LATURY KOPP

JOANN HOBLITZ & MISTY MEADOWS, LCC

Date of Hearing/Closing: 2/13/04 Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204 ATTN: Becky Hart {(410) 887-3394} 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: E SIDE OF COWENTON ANE AT HOMAGE AVE E/SIDE CONDENTON AVE OPPOSITE HOMAGO AVE The sign(s) were posted on \_ (Month, Day, Year) Sincerely, (Signature of Sign Poster) SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940 (Telephone Number)

# 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





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

January 22, 2004

#### CORRECTED 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: 04-297-SAH

East side of Cowenton Avenue at Hornago Avenue (Misty Meadows)

E/side of Cowenton Avenue opposite of Hornago Avenue

11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owners: Larry Kopp and Joann Hoblitz and Misty Meadows, LLC

Special Variance Honeygo to permit Lots 1, 2, 3, 4, 5, 6,7, 8,9, 10 and 11 to be connected to a sewer interceptor in an adjacent subarea.

Hearing: Friday, February 13, 2004 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Timothy Kotroco

Director

TK:klm

C: Benjamin Bronstein, 29 W. Susquehanna Avenue, Ste. 205, Towson 21204 Larry Kopp, JoAnn Hoblitz, 9029 Cowenton Avenue, Perry Hall 21128 Misty Meadows, Craig Carlson, 10045 Red Run Blvd., Owings Mills 21117 Rick Chadsey, G.W. Stephens, Jr., 1020 Cromwell Bridge Rd., Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JANUARY 29, 2004.

- (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.



Visit the County's Website at www.baltimorecountyonline.info

TO: PATUXENT PUBLISHING COMPANY

Thursday, January 29, 2004 Issue - Jeffersonian

Please forward billing to:

Benjamin Bronstein

410-296-0200

29 W. Susquehanna Avenue, Ste. 205 Towson, MD 21204

#### **CORRECTED NOTICE OF ZONING HEARING**

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Legal Owners: Larry Kopp and Joann Hoblitz and Misty Meadows, LLC

Special Variance Honeygo to permit Lots 1, 2, 3, 4, 5, 6,7, 8,9, 10 and 11 to be connected to a sewer interceptor in an adjacent subarea.

Hearing: Friday, February 13, 2004, at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Cause & Schmidt

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

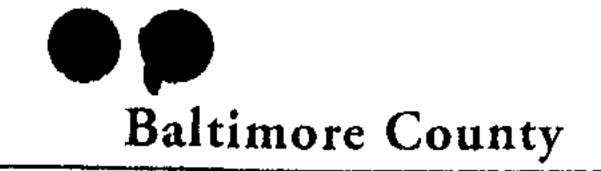
NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

### Department of Permits and Development Management

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





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

January 15, 2004

### 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: 04-297-SAH

East side of Cowenton Avenue at Hornage Avenue (Misty Meadows) E/side of Cowenton Avenue opposite of Hornago Avenue 11th Election District – 5th Councilmanic District Legal Owners: Larry Kopp and Joann Hoblitz and Misty Meadows, LLC

Special Variance Honeygo to permit Lots 1, 2, 3, 4, 5, 6,7, 8,9, 10 and 11 to be connected to a sewer interceptor in an adjacent subarea.

Hearing: Wednesday, March 3, 2004 at 11:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

Timothy Kotroco

Muthy Kotroco

Director

TK:klm

C: Benjamin Bronstein, 29 W. Susquehanna Avenue, Ste. 205, Towson 21204 Larry Kopp, JoAnn Hoblitz, 9029 Cowenton Avenue, Perry Hall 21128 Misty Meadows, Craig Carlson, 10045 Red Run Blvd., Owings Mills 21117 Rick Chadsey, G.W. Stephens, Jr., 1020 Cromwell Bridge Rd., Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 17, 2004.

- (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, February 17, 2004 Issue - Jeffersonian

Please forward billing to:

Benjamin Bronstein 29 W. Susquehanna Avenue, Ste. 205

Towson, MD 21204

410-296-0200

#### **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: 04-297-SAH

East side of Cowenton Avenue at Hornage Avenue (Misty Meadows)

E/side of Cowenton Avenue opposite of Hornago Avenue

11<sup>th</sup> Election District ~ 5<sup>th</sup> Councilmanic District

Legal Owners: Larry Kopp and Joann Hoblitz and Misty Meadows, LLC

Special Variance Honeygo to permit Lots 1, 2, 3, 4, 5, 6,7, 8,9, 10 and 11 to be connected to a sewer interceptor in an adjacent subarea.

Hearing: Wednesday, March 3, 2004 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence B. 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 <u>Baltimore County Zoning Regulations</u> (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: SAH
Item Number or Case Number: 04-297-SHA
Petitioner: Mistry Meadows, LLC & Larry Kopp & Joann Hoblitz
Address or Location: East Side of Cowenton Avenue opposite Hornago Avenue
Address or Location: East Side of Cowenton Avenue opposite Hornago Avenue (Misty Meadows
PLEASE FORWARD ADVERTISING BILL TO:
Name: Benjamin Bronstein, Esa,
Address: 09 W. Susauchanna Auc.
Suite 005
Towson MD 01004
Telephone Number: 410 096 0000

# Department of Permits and Development Management

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



# Baltimore County

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

February 5, 2004

Benjamin Bronstein 29 W. Susquehanna Avenue, Ste. 205 Towson, MD 21204

Dear Mr. Bronstein:

RE: Case Number: 04-297-SAH, E/side of Cowenton at Hornage Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 19, 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

u. Callaball D.

WCR:klm

Enclosures

c: People's Counsel Larry Kopp, 5511 McComick Ave., Baltimore 21206 JoAnn Hoblitz, 9029 Cowenton Avenue, Perry Hall 21128 Craig Carlson, 10045 Red Run Blvd., Ste. 150, Owings Mills 21117 Rick Chadsey, 1020 Cromwell Bridge Rd., Towson 21286



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 January 7, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: January 5, 2004

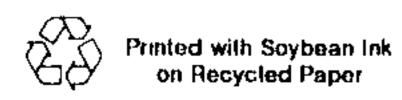
Item No.: 294-298

Dear Ms. Hart:

6. 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





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

January 5, 2004

ATTENTION: Rebecca Hart

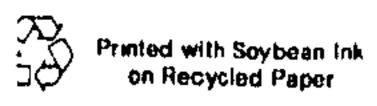
Distribution Meeting of: December 29, 2003

297 Item No.: 280-285, 287-299

6. 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





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

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

A COLLEGE THE AD TABLES OF THE SECOND TO SECOND

Date: 1.8.04

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

RE: Baltimore County

Item No. 297

JHP

Dear. Ms. Hart:

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,

Jo-

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

## BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

R. Bruce Seeley

DATE:

January 16, 2004

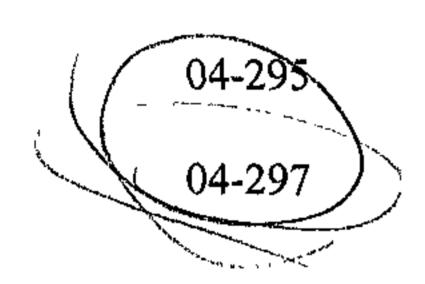
SUBJECT:

Zoning Item # See List Below

Zoning Advisory Committee Meeting of January 5, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-294



Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

**DATE:** February 2, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

SUBJECT:

Zoning Advisory Committee Meeting

For January 12, 2004 Item Nos. 294, 295, 296, and 297

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

RWB:jrb

cc: File

RE: PETITION FOR HONEYGO SPECIAL

**VARIANCE** 

E/side Cowenton opposite Hornago Avenue \*

(Misty Meadows)

11<sup>th</sup> Election & 5<sup>th</sup> Councilmanic Districts \*

Legal Owner(s): Larry Kopp, Joann Hoblitz,

Misty Meadows, LLC, Craig Carlson, \* BALTIMORE COUNTY

Managing Member

Petitioner(s) \* 04-297-SAH

\* \* \* \* \* \* \* \* \*

#### **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

BEFORE THE

FOR

**ZONING COMMISSIONER** 

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 8<sup>th</sup> day of January, 2004, a copy of the foregoing Entry of Appearance was mailed to, Rick Chadsey, P.E., G.W. Stephens, Jr & Associates, 1020 Cromwell Bridge Road, Towson, MD 21286 and to Benjamin Bronstein, 29 W Susquehanna Avenue, Suite 205, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

JAN 08 2004

Per.

12 100 JIMMERMAN

People's Counsel for Baltimore County

#### John Murphy - Misty Meadows Waiver request approval

From:

Jan Cook

To:

John Murphy; Rick Chadsey

Date:

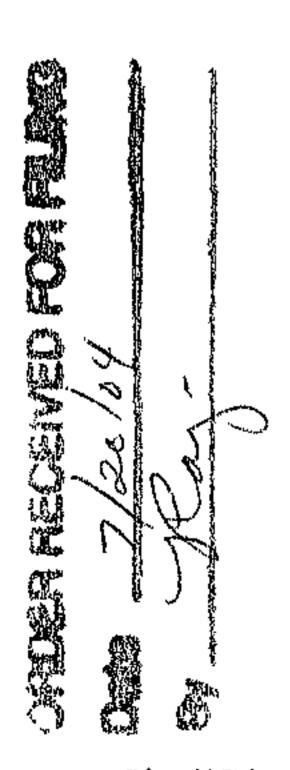
7/8/2004 12:16 PM

Subject: Misty Meadows Waiver request approval

An approval letter was sent to Mr. Bernt Petersen, dated March 9, 2004. A fee in lieu of \$20,700.00 is required prior to record plat signature.

Should you have further questions, please contact me. Thanks.

Jan M. Cook Engineer Associate Baltimore County Government Department of Recreation and Parks 301 Washington Avenue Towson, Maryland 21204 410-887-3807 410-825-3305 (fax)



From:

Walter Smith

To:

Murphy, John

Date:

7/9/2004 8:35:12 AM

Subject:

Misty Meadows

Jack,

I received my copy of your letter to Ben Bronstein concerning open issues from the HOH. I met yesterday with Ben and his client Craig Rodgers.

We identified the outstanding issues and the developer said he would meet with the agencies and resolve their issues.

Craig Rodges called me this morning and told me that you should be receiving emails from the following agencies:

Zoning - Jeff Perlow advised me that his issues were addressed on the red-line plan at the HOH. Planning - Craig tells me that he met with Mark Cunningham and confirms that his issues are resolved. Rec and Parks - Craig tells me that he spoke with Jan Cook who will forward to you a copy of the waiver approval letter.

DPR - Craig tells me that he me with Phil Martin. Phil is satisfied and he or Bob Bowling will advise you to that effect.

I believe that this should take care of the county agency issues.

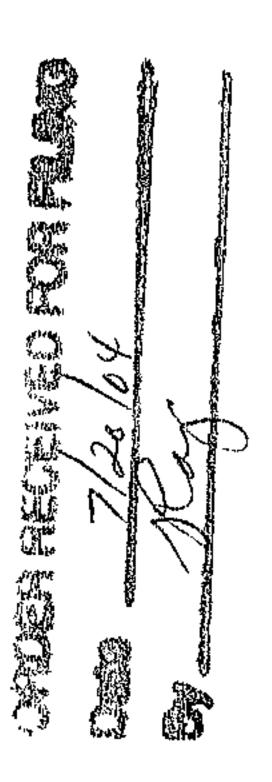
If you have any questions, please let me know.

Walter T. Smith, Jr.
Project Manager
Department of Permits and Development Management
410-887-3321

CC:

Bowling, Robert; Bronstein, Ben; Cook, Jan; Cunningham, Mark; Martin, Philip;

Perlow, Jeffrey



From:

Jeffrey Perlow

To:

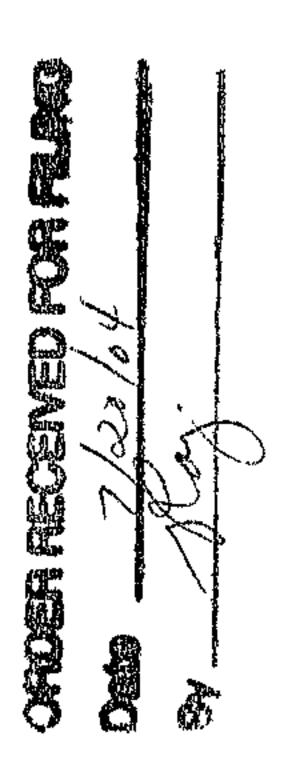
John Murphy

Date: Subject: 7/9/2004 9:37:09 AM Fwd: Misty Meadows

Jack,

As stated by Walt Smith, I am fine with the re-located community sign outside of the SWM area. Any questions, I am at extension 3391. Thanks!

JEFF PERLOW



#### John Murphy - Misty Meadows

From: Phi

Philip Martin

To:

Murphy, John

Date:

7/9/2004 8:44 AM

Subject:

Misty Meadows

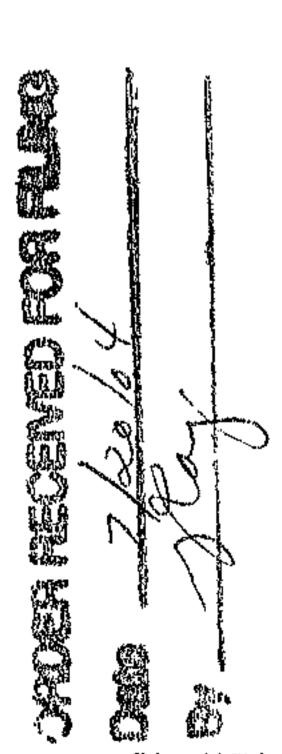
CC:

Bowling, Robert; Smith, Walter

#### Jack

I meet with Craig Rodgers this moring and reviewed all outstanding issues on the Development Plan for the HOH. All of DPR issues are resoled.

Thank you, Phil



#### BENJAMIN BRONSTEIN

ATTORNEY AT LAW
SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719
Benbronstein@aol.com

December 17, 2003

Timothy Kotroco, Director Dept of Permits & Development Mgt County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

RE: East Side Cowenton at Honeygo Avenue

Dear Mr. Kotroco:

In reference to the above entitled property, I am hereby enclosing the following:

- 1. Petition for Honey Special Variance in triplicate;
- 2. Twelve (12) copies of the Plat to Accompany Petition;
- 3. Three copies of the description under seal;
- 4. Copy of the 200 Scale Zoning Map; and
- 5. Check to cover costs.

John Lewis has reviewed this plan.

There are no violations.

Please enter my appearance on behalf of the Petitioner and advise me as to the hearing date. It is requested that this hearing be combined with the hearing on the development plan in PDM XI 946.

Thank you for your kind attention to this matter.

ı

BB/mlh

Enclosures
cc: Mr. Craig Carlson
Mr. Craig Rodgers

Rick Chadsey, P.E.

04-297-5HA

Very truly yours.

Benjamin Brønstein

PECEIVED

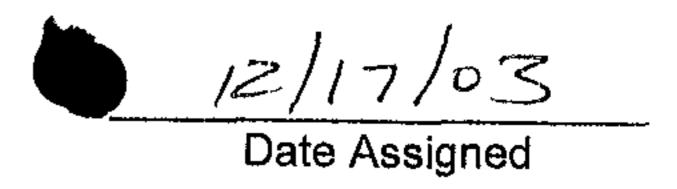
03-6047

DEC 17 2003

DEPT. OF PERMITS AND

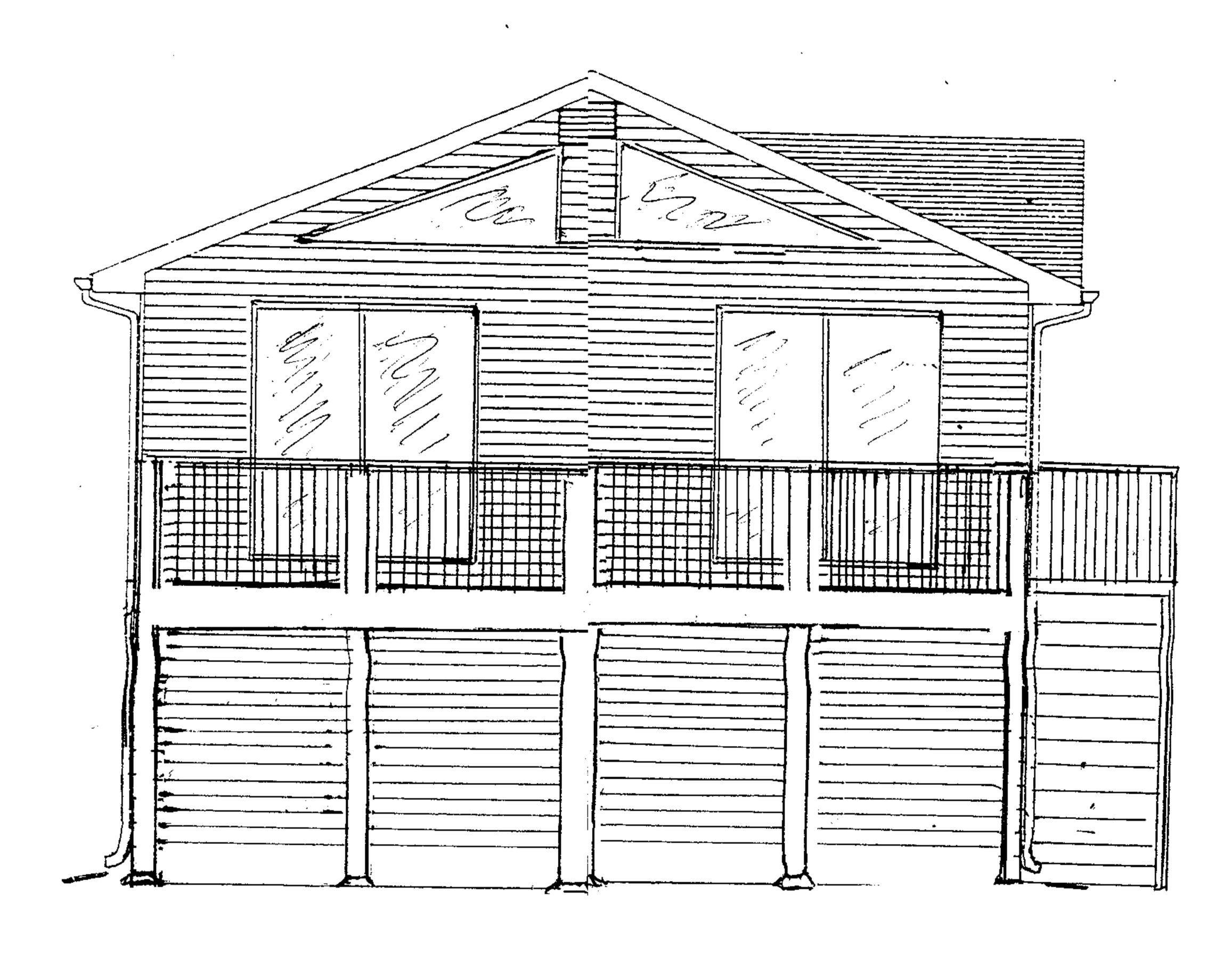
DEVELOPMENT MANAGELIENT

JNP	
Intake Planner	

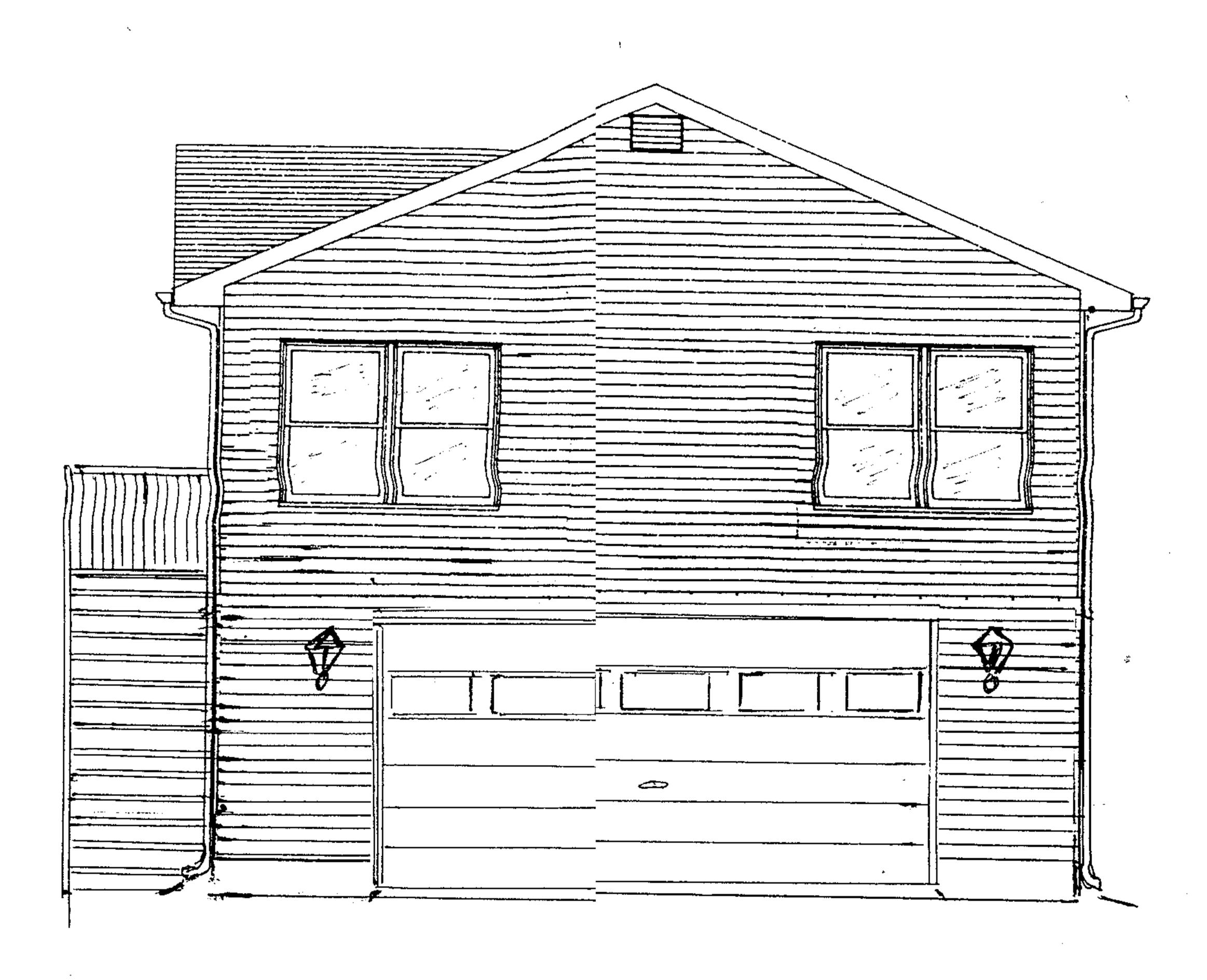


# DROP-OFF PETITIONS PROCESSING CHECK-OFF

	PROCESSING CHECK-OFF
	Two Questions Answered on Cover Sheet:  Any previous reviews in the zoning office? YES  Any current building or zoning violations on site? No
	Petition Form Matches Plat in these areas:  Address  Zoning  Legal Owner(s)  Contract Purchaser(s)  Request (if listed on plat)
	Petition Form (must be current PDM form) is Complete: NO Request: Section Numbers Correct Wording (must relate to the code, especially floodplain and historical standard wording. Variances must include the request in lieu of the required code quantities. Hardship/Practical Difficulty Reasons Legal Owner/Contract Purchaser: Signatures (originals) Printed/Typed Name and Title (if company) Attorney (if incorporated) Signature/Address/Telephone Number of Attorney
	Correct Number of Petition Forms, Descriptions and Plats 200 Scale Zoning Map
	Check: Amount Correct? Signed? \$7/5200
	ZAC Plat Information:  Location (by Carl)
9 4 em N	- 297-SHA    12/19/03     Lumber Assigned Date Accepted for Filing



# GALLOWAY CREEK ELEVATION



# GALLOWAY ROAD ELEVATION

ELEVATIONS

ALL FLOOR PLANS AND ROOM SIZES ARE APPROXIMATE.

5 1/4"=1'0"

DATE:

25 WIDE

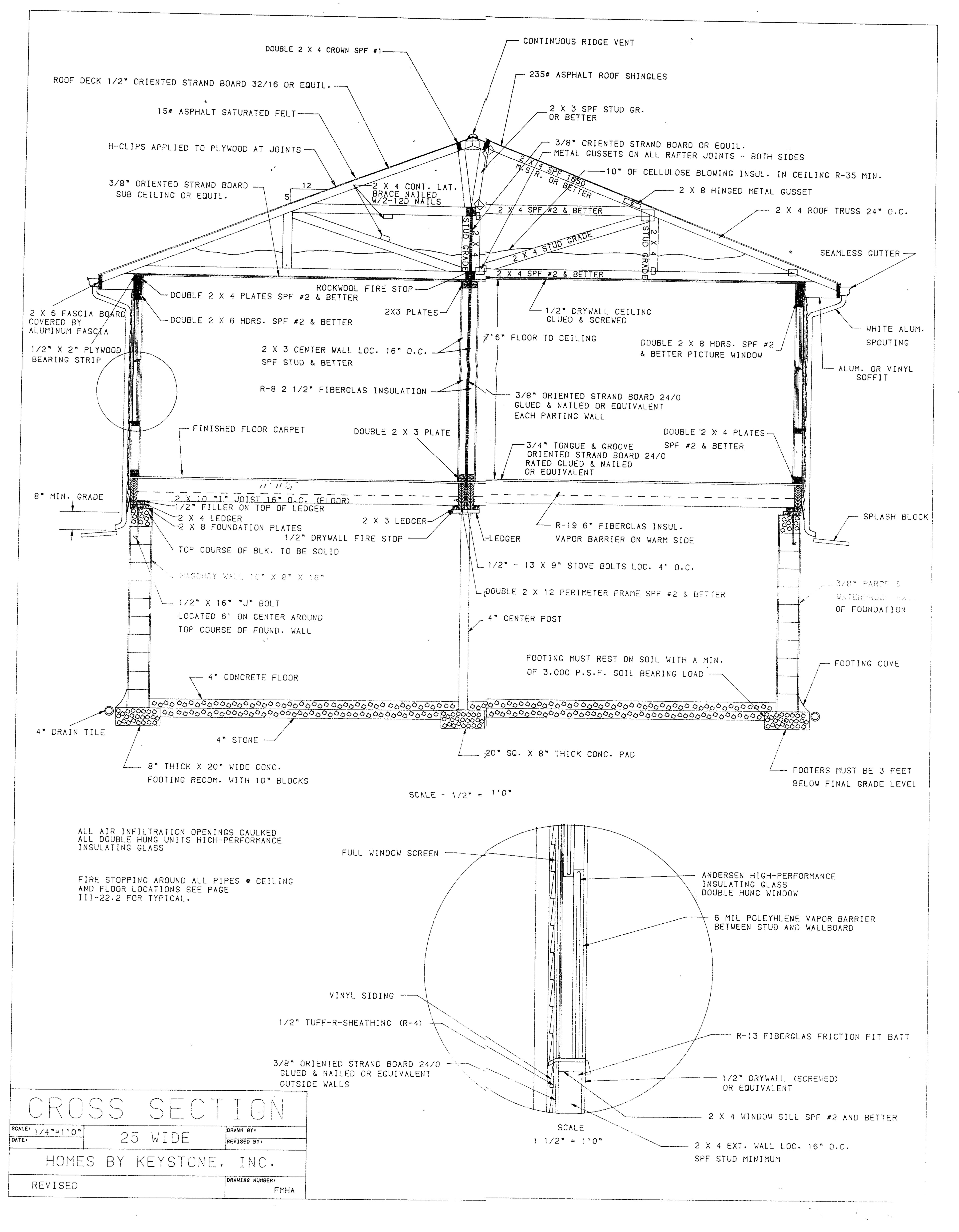
DRAWN BY:

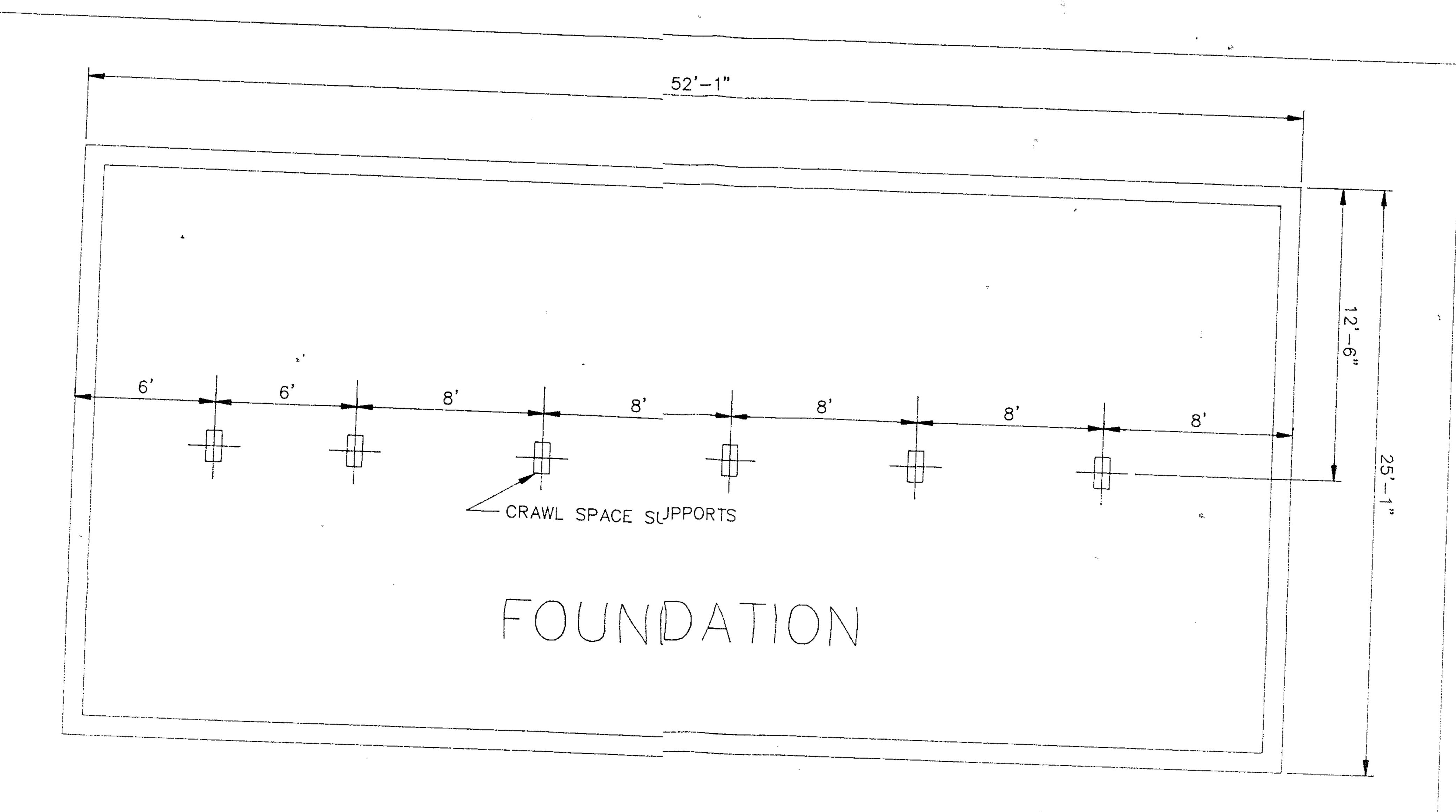
REVISED BY:

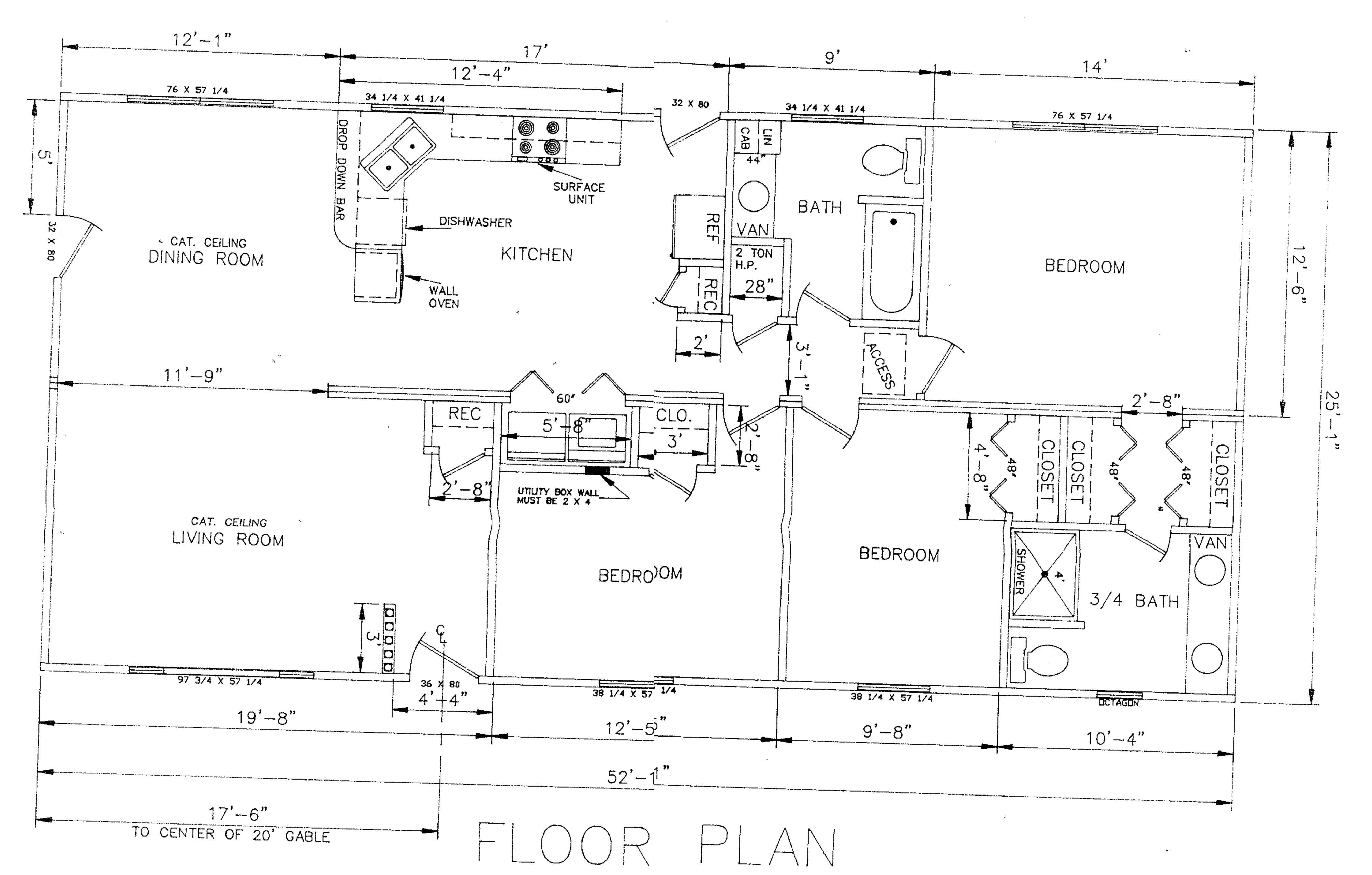
DRAWNG NUMBER:

25E-46A

Pet #







ALL FLOOR PLANS AND ROOM SIZES ARE APPROXIMATE.

SCALE: 1/4"=1'0"

KEYSTONE 52 X 25

REVISED BY:

DRAWING NUMBER:

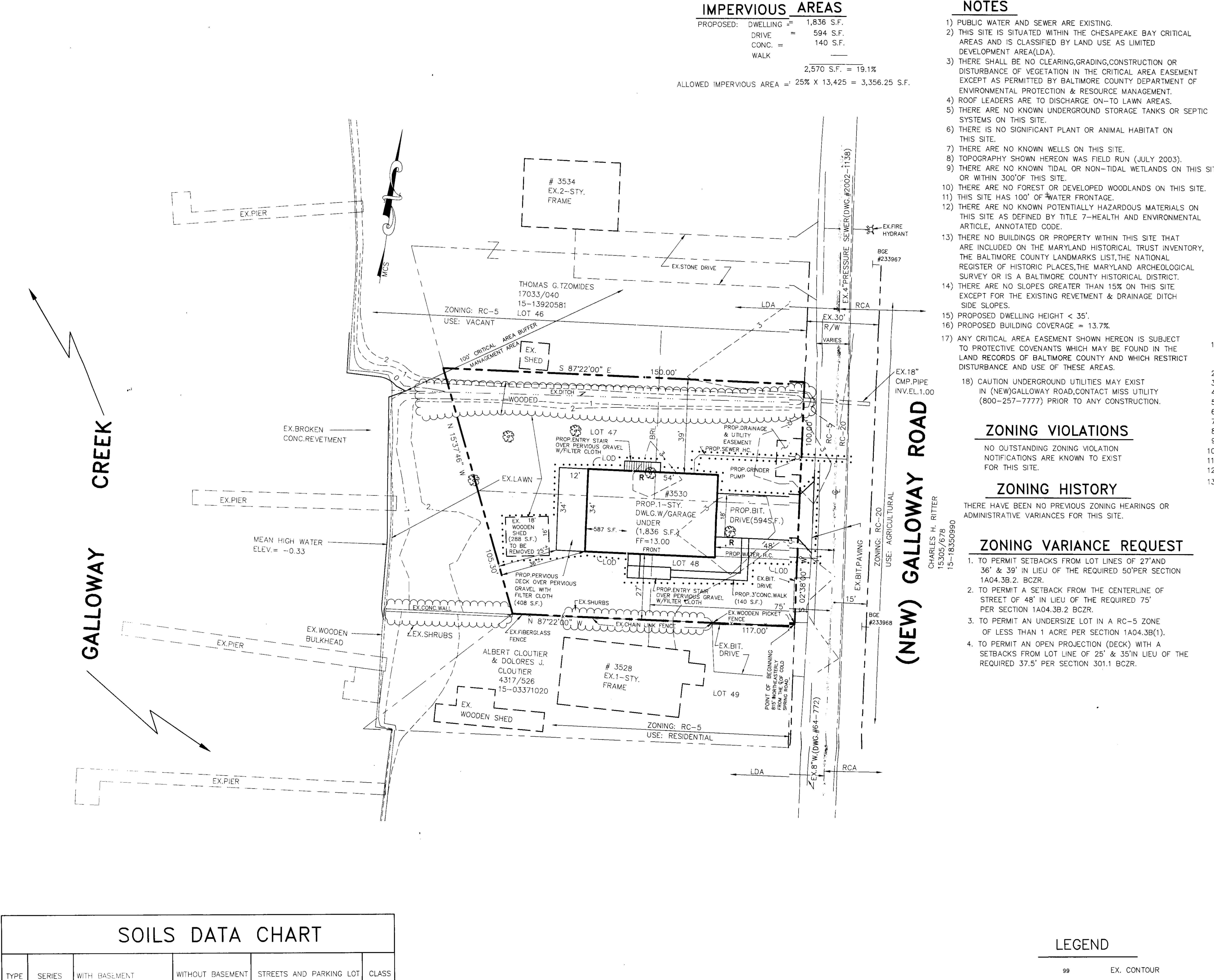


SIDE ELEVATION



SIDE ELEVATION

ELEVATIONS				
ALL FLOOR	PLANS AND ROOM SIZES ARE	APPROXIMATE		
SCALE: 1/4"=1'0"	25 WIDE	DRAWN BY:		
HOME	SRYKFYS	TONE		
		DRAWNG NUMBER:		



MODERATE: MODERATELY

HIGH WATER TABLE

MODERATE: MODERATELY

MATTAPEX HIGH WATER TABLE

MATTAPEX SILT LOAM, O TO 2 PERCENT SLOPES

### NOTES

- 1) PUBLIC WATER AND SEWER ARE EXISTING.
- 2) THIS SITE IS SITUATED WITHIN THE CHESAPEAKE BAY CRITICAL AREAS AND IS CLASSIFIED BY LAND USE AS LIMITED
- 3) THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE CRITICAL AREA EASEMENT EXCEPT AS PERMITTED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT.

SYSTEMS ON THIS SITE.

- 6) THERE IS NO SIGNIFICANT PLANT OR ANIMAL HABITAT ON
- 7) THERE ARE NO KNOWN WELLS ON THIS SITE.
- 8) TOPOGRAPHY SHOWN HEREON WAS FIELD RUN (JULY 2003).
- 9) THERE ARE NO KNOWN TIDAL OR NON-TIDAL WETLANDS ON THIS SITE OR WITHIN 300'OF THIS SITE.
- 10) THERE ARE NO FOREST OR DEVELOPED WOODLANDS ON THIS SITE.
- 11) THIS SITE HAS 100' OF WATER FRONTAGE.
- 12) THERE ARE NO KNOWN POTENTIALLY HAZARDOUS MATERIALS ON THIS SITE AS DEFINED BY TITLE 7-HEALTH AND ENVIRONMENTAL ARTICLE, ANNOTATED CODE.
- 13) THERE NO BUILDINGS OR PROPERTY WITHIN THIS SITE THAT ARE INCLUDED ON THE MARYLAND HISTORICAL TRUST INVENTORY, THE BALTIMORE COUNTY LANDMARKS LIST, THE NATIONAL REGISTER OF HISTORIC PLACES, THE MARYLAND ARCHEOLOGICAL SURVEY OR IS A BALTIMORE COUNTY HISTORICAL DISTRICT.
- 14) THERE ARE NO SLOPES GREATER THAN 15% ON THIS SITE EXCEPT FOR THE EXISTING REVETMENT & DRAINAGE DITCH
- 15) PROPOSED DWELLING HEIGHT < 35'.
- 16) PROPOSED BUILDING COVERAGE = 13.7%.
- 17) ANY CRITICAL AREA 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.
- 18) CAUTION UNDERGROUND UTILITIES MAY EXIST IN (NEW)GALLOWAY ROAD, CONTACT MISS UTILITY (800-257-7777) PRIOR TO ANY CONSTRUCTION.

### ZONING VIOLATIONS

NO OUTSTANDING ZONING VIOLATION NOTIFICATIONS ARE KNOWN TO EXIST

### ZONING HISTORY

THERE HAVE BEEN NO PREVIOUS ZONING HEARINGS OR ADMINISTRATIVE VARIANCES FOR THIS SITE.

# ZONING VARIANCE REQUEST

- TO PERMIT SETBACKS FROM LOT LINES OF 27'AND 36' & 39' IN LIEU OF THE REQUIRED 50'PER SECTION 1A04.3B.2. BCZR.
- . TO PERMIT A SETBACK FROM THE CENTERLINE OF STREET OF 48' IN LIEU OF THE REQUIRED 75' PER SECTION 1A04.3B.2 BCZR.
- 3. TO PERMIT AN UNDERSIZE LOT IN A RC-5 ZONE OF LESS THAN 1 ACRE PER SECTION 1A04.3B(1).
- 4. TO PERMIT AN OPEN PROJECTION (DECK) WITH A SETBACKS FROM LOT LINE OF 25' & 35'IN LIEU OF THE REQUIRED 37.5' PER SECTION 301.1 BCZR.

LEGEND

PROP. CONTOUR

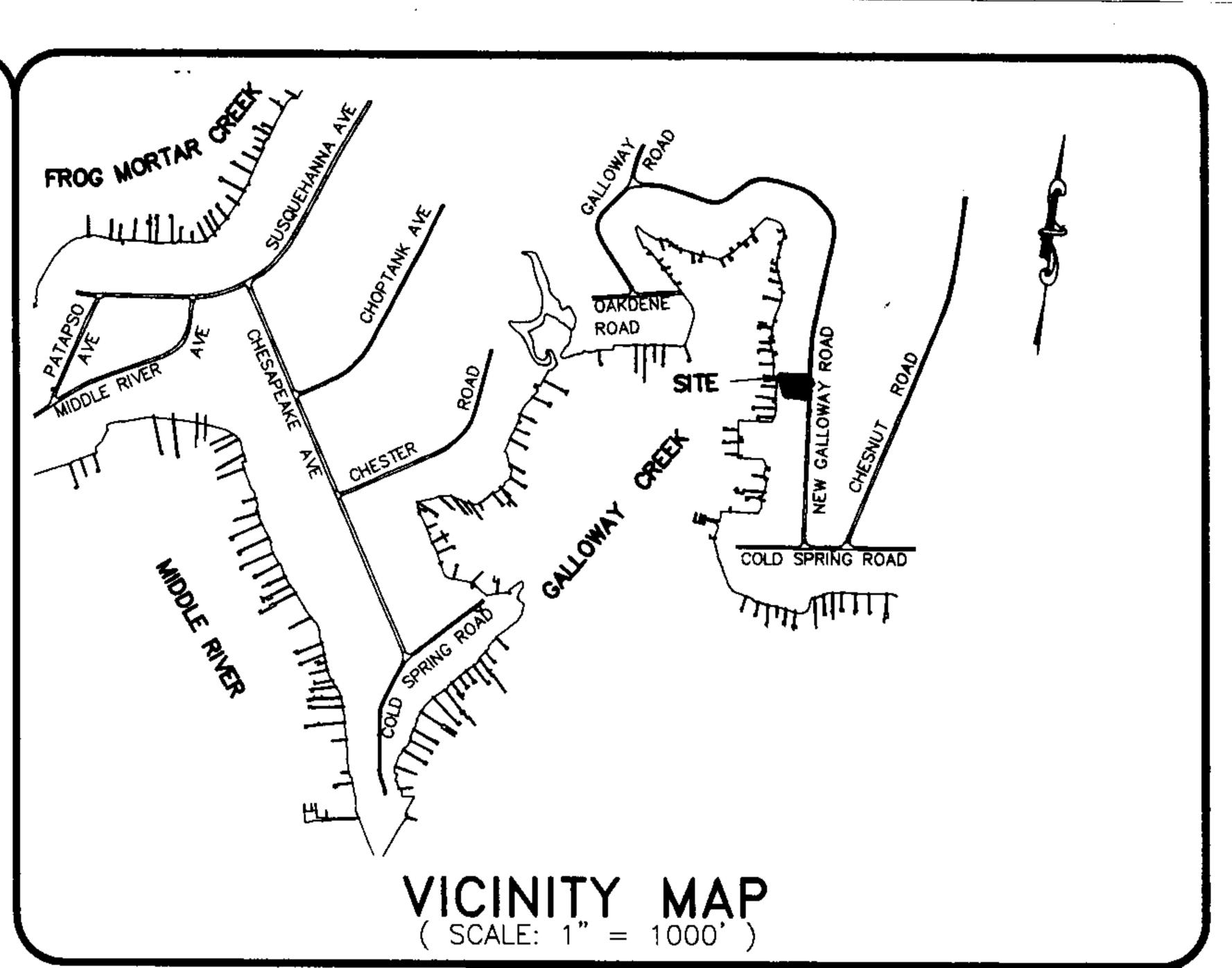
PROPERTY LINE

ZONING LINE

· · · · · · · · LIMIT OF DISTURBANCE

EX. CONTOUR

TREE TO BE REMOVED



### BENCH MARK

GALV.SPIKE SET IN MAC.ON WEST SIDE OF GALLOWAY ROAD 1,005' HORTH OF COLD SPRING ROAD.

BALTIMORE COUNTY DATUM (BCMD) ELEV. 5.03

MARYLAND COORDINATE SYSTEM (MCS) ELEV. 3.33 (USED HEREON)

### SITE DATA

1) OWNER: PETER A. GAREY & MABEL C. GAREY #3637 MILLERS STATION ROAD MANCHESTER, MARYLAND 21102-2034

2) DEED REF: 5414/476 (DEC. 1973)

- 3) TAX ACC. NO.: 15-19321277 4) PLAT REF: BOWLEYS QUATERS,PLAT 1 BOOK 7 FOLIO 12 (RECORDED 05/27/21)
- 5) TAX MAP: 98 PARCEL: 4 LOT: 47 & 48
- 6) ELECTION DISTRICT: 15TH
- 7) CONCILMANIC DISTRICT: 6TH
- 8) REGIONAL PLANNING DISTRICT: 322B 9) CENSUS TRACT: 4518.01
- 10) ZONING: RC-5 (MAP NE-2K)
- 11) USE: EXISTING & PROPOSED: RESIDENTIAL, SINGLE FAMILY
- 12) SITE AREA: (LAND AREA) = 13,425 S.F. OR 0.308 AC.
- 13) FLOOD MAP: COMMUNITY PANEL NO.240010-0445C ZONE A10 (MCS=8.3)FREEBOARD 9.3

MINIMUM 1ST FLOOR 11.2 (BCMD)

### DISTURBED AREA = 4,960 S.F. OR 0.113 AC.

William N. Bafitis, P.E. / Bafitis & Associates, Inc. Civil Engineers/Land Planners

1249 Engleberth Rd. Baltimore, MD 21221

(410) 391-2336

PRESIDENT

SURVEYORS

# PLAT TO ACCOMPANY PETITION

ZONING VARIANCES 3530 (NEW) GALLOWAY ROAD

15TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

1" = 20'JOB ORDER NO:

REVISIONS REVISED CBCA BUFFER LINE REVISED TITLE AND BUILDING SETBACKS, DRIVEWAY, LOD AND DECK; ADDED PORCH AND STAIRS ON NORTH REVISED ZONING VARIANCE REQUEST #3 & #4.

