IN RE: DEVELOPMENT PLAN HEARING **AND** HONEYGO SPECIAL PETITION FOR VARIANCE E/S Cowenton Avenue, N Interstate 95 11th Election District 5th Councilmanic District **(HONEYBROOK FARM)**	*	BEFORE THE HEARING OFFICER OF BALTIMORE COUNTY Case Nos. XI-923 & 04-312-SAH
Ronald Schaftel c/o Southern Land Company *Developer/Petitioner*	*	

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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 Development Plan known as "Honeybrook Farm", prepared by Morris & Ritchie Associates, Inc. The Developer is proposing to develop the subject property into 31 single-family dwellings. The subject property is located on the east side of Cowenton Avenue, north of Interstate 95 ("I-95"). 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 Development Plan entered into evidence at the hearing.

In addition to seeking approval of the 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 sewer connection for a residential development to a completed sewer interceptor in another subarea. (Reference Bill No. 79-03).

The property was posted with Notice of the Hearing for the Development Plan on January 4, 2004 for 20 working days prior to the hearing, in order to notify all interested citizens of the Hearing Officer's Hearing. However, posting of the Honeygo Special Variance was not made timely, and the hearing for this variance was rescheduled for March 4, 2004 at 9:00 AM. However, for the sake of convenience of the public who came to the February 25, 2004 Hearing Officer's Hearing and by agreement of all parties, testimony was taken on the Development Plan

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and to the extent possible, testimony and evidence taken on the variance case. The hearing for the Development Plan was continued in order to resolve open issues as below and to have the variance case heard with proper notice.

The property was posted with Notice of the Hearing for the Honeygo Special Variance on February 18, 2004 for 15 working days prior to the hearing, in order to notify all interested citizens of the hearing on the Honeygo Special Variance. In addition, a Notice of Zoning Hearing was published in "the Jeffersonian" newspaper on February 10, 2004, to notify any interested persons of the scheduled hearing date for the Honeygo Special Variance.

Appearing at the hearing on behalf of the Development Plan approval request were Dean Hoover and Don Mitten, appearing on behalf of Morris & Ritchie Associates, Inc, the engineering firm who prepared the Development Plan. David Altfeld and Ronald Schaftel appeared on behalf of the Petitioners and David K. Gildea, Esquire and Joseph R. Woolman, Esquire represented the Petitioners at the hearing. Appearing as an interested citizen in the matter was William Libercci.

Also in attendance were representatives of the various Baltimore County reviewing agencies; namely, Lloyd Moxley (Zoning Review), Bob Bowling (Development Plans Review) and Don Rascoe (Development Management), 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 December 2, 2002 at 9:00 a.m. and a Community Input Meeting followed on January 7, 2003 at 7:00 p.m. at the Perry Hall Community Hall. A Development Plan Conference was held on January 28, 2004 and a Hearing Officer's Hearing was held on February 26, 2004 in Room 106 of the County Office Building. Hearing for the Honeygo Special Hearing was held on March 4, 2004 in Room 407 of the County Courts Building.

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(HONEYBROOK FARM)	*	Case Nos. XI-923 & 04-312-SAH	
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The property was posted with Notice of the Hearing for the Development Plan on January 4, 2004 for 20 working days prior to the hearing, in order to notify all interested citizens of the Hearing Officer's Hearing. However, posting of the Honeygo Special Variance was not made timely, and the hearing for this variance was rescheduled for March 4, 2004 at 9:00 AM. However, for the sake of convenience of the public who came to the February 25, 2004 Hearing Officer's Hearing and by agreement of all parties, testimony was taken on the Development Plan

Developer Issues

The Developer presented no issues on his own but recognized that Recreation & Parks had an outstanding issue.

County Issues

All representatives from each reviewing agency indicated that the Redline Plan met all regulations for which their department had jurisdiction except:

The Recreation & Parks representative indicated that this development adjoins the new Cowenton County Park. The Developer requested that some local open space be waived and that a fee in lieu of providing such open space be permitted. The representative indicated that this matter was much at issue, that the formal request for waiver was only recently received, and that he was unable to predict the outcome of the issue. In addition, he raised the issue of reversing the location of the storm water management pond and Lot 31 in order to place the pond next to the park. The Developer's engineer testified that this would be a problem as the pond must be located at the low point of the development. Both the agency and the Developer agreed to hold the record open to resolve these matters, but that neither waived its right to a further hearing on the issues should they not be resolved.

DEPRM's representative indicated that if the storm water management pond is moved to accommodate Recreation & Parks as stated above, DEPRM should then review the suitability of the storm water management system. As mentioned above, both the Developer and the agency agreed to hold the record open to resolve this issue, but that neither waived its right to a further hearing on the issues should they not be resolved.

The Department of Public Works representative indicated that the plan met all his department's regulations if the sewer system was in fact all gravity operated. The Developer's engineer gave his assurance that the sewer system was all gravity operated.

On the second hearing day of the case, the representative from the Department of Recreation & Parks indicated that his department had investigated the possibility of switching

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the location of Lots 31 and the storm water management facility as shown on the plan. After consultation with other affected departments his agency withdrew the request. The representative of DEPRM originally indicated that the plan as presented met all his agency regulations but wanted to review the plan again if the storm water management pond was relocated. However, as mentioned above that pond was not relocated and consequently the representative from DEPRM reiterated his agency's approval of the Redline Plan.

Finally, the Department of Recreation & Parks representative indicated that his department had reviewed the request to waive 4960 sq. ft. of local open space. He recognized that the Developer proposed providing 26,040 sq. ft. in actual open space in the plan and had designed the lot layout to have this approximately one half acre located adjacent to Cowenton Park as requested by his department. The issue then was whether to allow the Developer to pay a fee of $10,000 rather than provide the remaining 4,960 sq. ft.

The Recreation & Parks representative indicated that his agency interprets the local open space legislation to say that his department has jurisdiction of such waiver only for developments less than 20 lots. Since this plan has 31 lots, he indicated that this Hearing Officer should make that decision but that his agency recommended the waiver.

Community Issues

Mr. William Libercci, representing the Perry Hall Improvement Association, indicated that his association had no Development Plan issues.

By agreement of all parties and for his convenience, he indicated that his association did not oppose the Honeygo Special Variance as long as the sewer system was gravity operated.

Applicable Law

Development Plan

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

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(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

Mr. Gildea proffered testimony that the Developer's Exhibit No 1, the Redline Plan, reflected a 31 home subdivision with three existing homes and 28 new homes to be built on 12.5 acres which has DR 3.5H zoning. Given that area and zoning, 45 dwellings would be allowed

but that the Developer was requesting approval for only 31 dwellings. He indicated that the Redline Plan met all Honeygo special regulations.

Donald Mitten, the Developer's engineer, indicated that the sewer system would operate by gravity and that this Developer would pay to have the sewer line installed across the Cowenton Park frontage. However, the County is to provide sewer connection in Cowenton Road to the interceptor.

Finally, he indicated that relocating the storm water management pond vis a vis Lot 31 would be difficult as the location shown on the plan is a low point on the site. As the Development Plan requires the variance to be approved, the Redline Plan, Developer's Exhibit No. 1, was only marked.

On the second day of the Hearing Officer's Hearing, Mr. Gildea indicated that the local open space legislation requires 1,000 ft. of local open space per lot. Consequently, 31,000 sq. ft. should be provided. The Developer redesigned the plan to provide approximately one half acre of open space adjacent to the extension of the new Cowenton Park. This left 4,960 sq. ft., which the Developer requests be waived and a fee in lieu of providing the open space be allowed. The Developer indicated that it could not provide the remaining the local open space efficiently due to the County's request that local open space be located next to the park to the extent possible. The Developer found it difficult to provide the remaining 4,960 sq. ft. portion within the compressed development. In addition, Mr. Mitten also indicated that it would be difficult to maintain a small isolated pocket of this size. The Department of Recreation & Parks agreed and recommended the waiver.

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Honeygo Special Variance

Proffered testimony by Mr. Gildea indicated that the property is bisected by the dividing line between the Honeygo Run and Bird River subareas. Thus, it qualifies for the exception in Bill 79-03, which removed the Zoning Commissioner's authority to grant special variances except for such cases. Mr. Bowling from the Department of Public Works indicated that the Honeygo subarea sewer had sufficient capacity to accept the sewerage from the 23 homes in the Bird Run subarea and the 8 homes in the Honeygo subarea. All sewers would be by gravity satisfying both DPW and the community representatives requirements with a reliable gravity system.

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 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 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.

Findings of Fact and Conclusions of Law

Honeygo Special Variance

I find that the petition for a special variance from provisions of Section 4A02.4.G will not violate the Honeygo provision's purposes. The petition clearly is one of the exceptions to Bill 79-03 in that this property is divided between two subareas. Secondly, both the representative from DPW and the Developer's engineer indicated that diverting sewerage from 23 homes in the Bird River Subarea to the Honeygo Subarea would not affect the capacity of this receiving system to adequately handle the increase in sewerage along with the 8 new homes in the Honeygo subarea.

I further 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.

Finally, I 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

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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:

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

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I further 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.

Finally, I 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

Honeygo Special Variance

Proffered testimony by Mr. Gildea indicated that the property is bisected by the dividing line between the Honeygo Run and Bird River subareas. Thus, it qualifies for the exception in Bill 79-03, which removed the Zoning Commissioner's authority to grant special variances except for such cases. Mr. Bowling from the Department of Public Works indicated that the Honeygo subarea sewer had sufficient capacity to accept the sewerage from the 23 homes in the Bird Run subarea and the 8 homes in the Honeygo subarea. All sewers would be by gravity satisfying both DPW and the community representatives requirements with a reliable gravity system.

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4A02.3.G.2.b. Therefore I will grant the Honeygo Special Variance requested.

Development Plan

Having determined that the Honeygo Special Variance should be granted, the Development Plan is then ready for final approval except for the local open space issue above. The Recreation & Parks Department's position on the waiver is that they do not have jurisdiction of the matter as the development has more than 20 lots. The Department contends that this Hearing Officer has jurisdiction to waive or deny such requests for developments over 20 lots.

Applicable Law

Section 26-172 (a) of the Development Regulations provides that,

*Sec. 26-172. **Waivers**.*

(a) At the request of a department director, the hearing officer may grant a waiver of any or all requirements of division 3, 4 and 5 of these regulations if the hearing officer finds that:

(1) a. The size, scope and nature of a proposed development does not justify strict compliance with these regulations;

b. A waiver would be within the scope, purpose and intent of these regulations; and

c. All other county laws, ordinances, and regulations have been complied with; or

(2) Compliance with these regulations would cause unnecessary hardship.

(3) A waiver shall be in accordance with the floodplain management regulations.

Division 4 of the regulations includes Section 26-271 through 273, which provide for open space in the development regulations generally.

Findings of Fact and Conclusions of Law

I find that the waiver of 4960 sq. ft. of local open space was recommended by the

Department of Recreation & Parks. In addition, the Local Open Space Manual gives additional guidance. Subsection H 1. Of Section III of the Manual provides that "In general developments that generate an isolated parcel of land of 20,000 sq. ft. in size of local open space are appropriate for providing fee in lieu of LOS". In this case, we would have an isolated pocket of only 4,960 sq. ft. if the payment of fee in lieu of were denied. Consequently, I find that the purposes of Section 26-172 (a) apply to this request and further that compliance with the regulations would cause unnecessary hardship. Therefore, I will grant the waiver as requested.

After considering the waivers of Local Open Space, the Special Honeygo Variance and all the evidence and testimony in this case, I find that the plan 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 Development Plan is subject to all appropriate standards, rules, regulations, conditions, and safeguards. Therefore, I will approve the Development Plan subject to the conditions below.

THEREFORE, IT IS ORDERED, by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, this 9 day of March, 2004, that the Developer's request to waive 4,960 sq. ft. of local open space and pay $10,000.00 in lieu of providing said open space is hereby APPROVED, and the Redline Development Plan known as "Honeybrook Farm", submitted into evidence as "Developer's Exhibit No. 1", be and is hereby APPROVED subject to the following conditions:

1. No building permits shall be approved unless and until all public sewer facilities are installed and operational whether paid for by the Developer or the County.

2. The sewer system of this Development shall be operated by gravity only.

IT IS FURTHER ORDERED, that the requested Honeygo Special Variance relief from the standards of Section 4A02.4.G for a Honeygo Special Variance to permit sewer connection for a

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4A02.3.G.2.b. Therefore I will grant the Honeygo Special Variance requested.

Development Plan

Having determined that the Honeygo Special Variance should be granted, the Development Plan is then ready for final approval except for the local open space issue above. The Recreation & Parks Department's position on the waiver is that they do not have jurisdiction of the matter as the development has more than 20 lots. The Department contends that this Hearing Officer has jurisdiction to waive or deny such requests for developments over 20 lots.

Applicable Law

Section 26-172 (a) of the Development Regulations provides that,

*Sec. 26-172. **Waivers**.*

(a) At the request of a department director, the hearing officer may grant a waiver of any or all requirements of division 3, 4 and 5 of these regulations if the hearing officer finds that:

(1) a. The size, scope and nature of a proposed development does not justify strict compliance with these regulations;

b. A waiver would be within the scope, purpose and intent of these regulations; and

c. All other county laws, ordinances, and regulations have been complied with; or

(2) Compliance with these regulations would cause unnecessary hardship.

(3) A waiver shall be in accordance with the floodplain management regulations.

Division 4 of the regulations includes Section 26-271 through 273, which provide for open space in the development regulations generally.

Findings of Fact and Conclusions of Law

I find that the waiver of 4960 sq. ft. of local open space was recommended by the

residential development to a completed sewer interceptor in another 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

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 3/9/04
By D. Grimm

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

March 5, 2004

David K. Gildea, Esquire
Joseph R. Woolman, Esquire
Gildea, LLC
301 N. Charles Street, Suite 900
Baltimore, Maryland 21201

Re: Hearing Officer's Hearing Case Nos. XI-923 & 04-312-SAH
Property: E/S Cowenton Avenue, N Interstate 95
11th Election District, 5th Councilmanic District
Honeybrook Farm

Dear Messrs. Gildea & Woolman:

Enclosed please find the decision rendered in the above-captioned case. The Development Plan for Honeybrook Farm has 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

Copies to:

Ronald Schaftel
David Altfeld
111 W. Calvert Street, Suite 2820
Baltimore, MD 21202

Dean Hoover
Don Mitten
Morris & Ritchie Associates, Inc.
2012 E. Joppa Road, Suite 505
Towson, MD 21286

William M. Libercci
19 Shawn Court
Baltimore, MD 21236

Copies to:

Ronald Schaftel
David Altfeld
111 W. Calvert Street, Suite 2820
Baltimore, MD 21202

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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
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March 5, 2004

David K. Gildea, Esquire
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Gildea, LLC
301 N. Charles Street, Suite 900
Baltimore, Maryland 21201

Re: Hearing Officer's Hearing Case Nos. XI-923 & 04-312-SAH
Property: E/S Cowenton Avenue, N Interstate 95
11th Election District, 5th Councilmanic District
Honeybrook Farm

Dear Messrs. Gildea & Woolman:

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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

Honeygo Special

Petition for Variance

to the Zoning Commissioner of Baltimore County

+ 8947 9000 Cowenton Ave.

for the property located at 9019 Cowenton Ave.

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)

259.7S to permit sewer connection for a residential developmnent to a completed sewer interceptor in another subarea.

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

To be presented at hearing.

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

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

Contract Purchaser/Lessee:

Honeybrook Farm, LLC
Name - Type or Print

Signature Ronald Schaftel
111 S. Calvert Street, Suite 2820
Address — Telephone No.
Baltimore, MD 21202 (410)347-4800
City — State — Zip Code

Attorney For Petitioner:

David K. Gildea
Name - Type or Print — City

Signature
Gildea, LLC
Company
301 N. Charles Street, Suite 900
Address — Telephone No.
Baltimore, MD 21201 (410)234-0070
City — State — Zip Code

Legal Owner(s):

William A. Spangler
Name - Type or Print

Signature
Name - Type or Print

Signature
9019 Cowenton Ave.
Address — Telephone No.
Perry Hall, MD 21128
State — Zip Code

Representative to be Contacted:

David K. Gildea
Name
301 N. Charles Street, Suite 900
Address — Telephone No.
Baltimore, MD 21201 (410)234-0070
City — State — Zip Code

ORDER RECEIVED FOR FILING
Date 3/9/04
By R. Ogunnaike

Case No. 04-312-A

REV 9/15/98

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 hr

UNAVAILABLE FOR HEARING

Reviewed By Date 01-06-04

MORRIS & RITCHIE ASSOCIATES, INC.

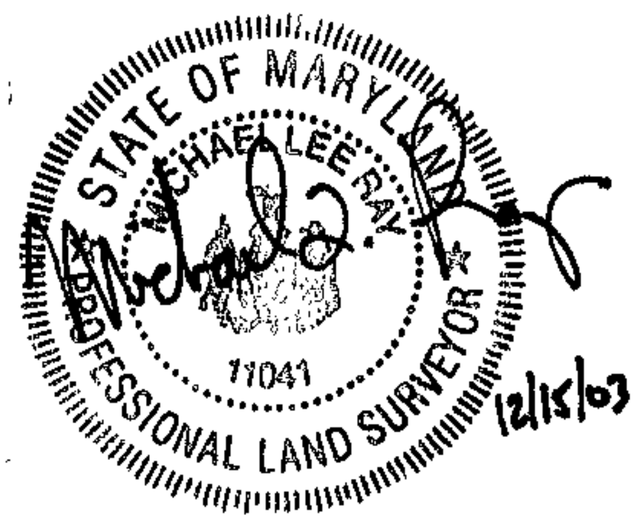
ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

ZONING DESCRIPTION

Beginning at a point located in the centerline of Cowenton Avenue which has a variable paving width at the distance of 455 feet northwesterly of the centerline of the nearest intersecting street, Lolly Lane which has a variable paving width. **Thence** the following courses and distances:

North 20 degrees 15 minutes 37 seconds West, 121.77 feet to a point; North 17 degrees 21 minutes 18 seconds West, 90.70 feet to a point; North 14 degrees 44 minutes 53 seconds West, 81.50 feet to a point; North 03 degrees 31 minutes 52 seconds West, 237.64 feet to a point; North 00 degrees 36 minutes 12 seconds West, 188.79 feet to a point; North 79 degrees 48 minutes 26 seconds East, 884.68 feet to a point; South 29 degrees 54 minutes 04 seconds East, 140.00 feet to a point; South 26 degrees 54 minutes 04 seconds East, 287.00 feet to a point; South 63 degrees 17 minutes 41 seconds West, 1078.85 feet to the point and place of beginning and being all of #8947 and #9000 - #9019 Cowenton Avenue.

Containing 565,705 square feet or 12.9868 acres of land, more or less, and being located in the Eleventh Election District of Baltimore County, Maryland.



312

1220-C East Joppa Road, Suite 505, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

Abingdon, MD (410) 515-9000 ✦ Annapolis Junction, MD (410) 792-9792 ✦ Towson, MD (410) 821-1690 ✦ Georgetown, DE (302) 855-5734 ✦ Wilmington, DE (302) 326-2200

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. 32135
04-312-A

DATE 01-06-04 ACCOUNT R-001-006-6150

AMOUNT $ 325.00

RECEIVED FROM: Gildea LLC

FOR: Variance fr Wm Spangler Property
contr. purchaser Honeybrook Farm, LLC

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS ACTUAL TIME DRW
1/07/2004 1/06/2004 14:50:12 1
REG WS01 WALKTR JRIC JNR
>>RECEIPT # 171257 1/06/2004 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 032135
Recpt Tot $325.00
$325.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

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

Case: #04-312-A
8947, 9000 & 9019, Cowenton Avenue
N/east side of Cowenton Avenue at a point, 455 feet n/west of centerline of Lolly Lane
11th Election District 5th Councilmanic District
Legal Owner(s): William Spangler

Honeygo Special Variance: to permit sewer connection for a residential development to a completed sewer interceptor in another subarea.

Hearing: Thursday, February 26, 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.

JT 2/676 Feb. 10 C648923

CERTIFICATE OF PUBLICATION

2/10/, 2004

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 2/10/, 2004.

- [X] 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.: 04-312-A

Petitioner/Developer: WILLIAM SPANGLER

Date of Hearing/Closing: MARCH 4, 2004

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

ATTN: Kristen Matthews {(410) 887-3394}

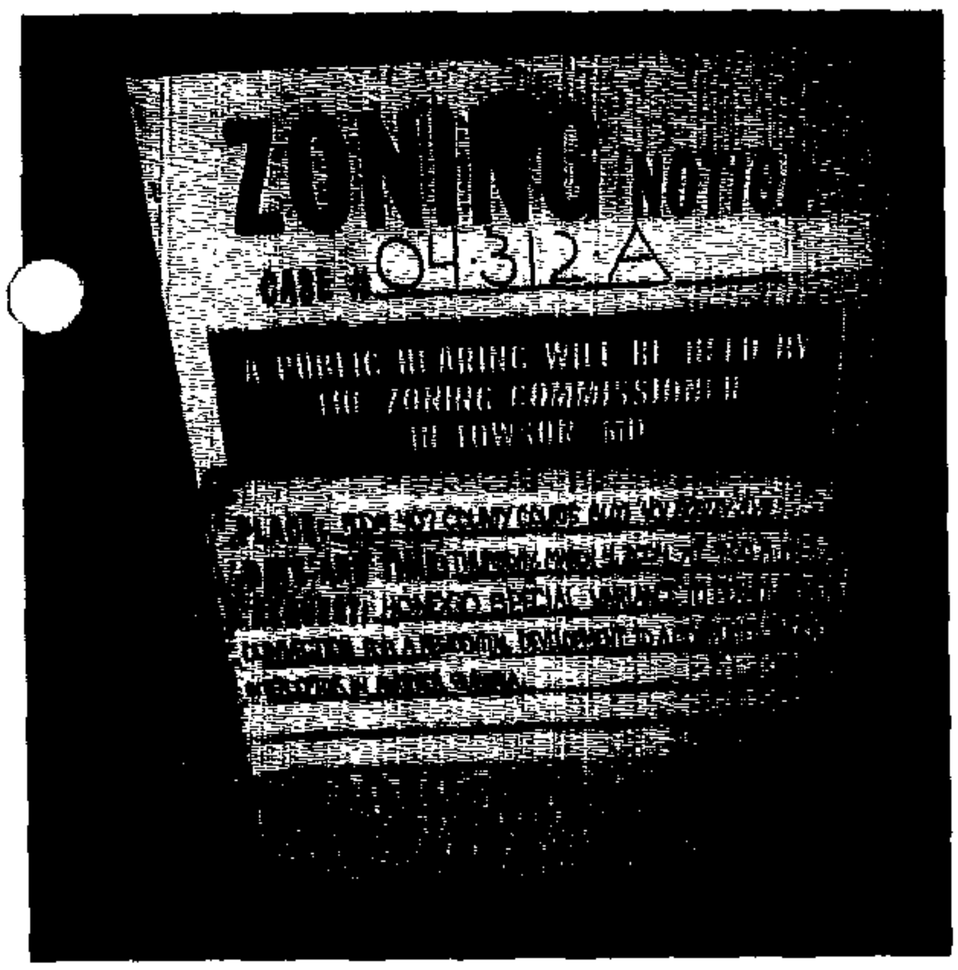
Ladies and Gentlemen:

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:

8947, 9000 & 9019 COWENTON AVE

The sign(s) were posted on 2/18/04
(Month, Day, Year)

Sincerely,



Robert Black 2/18/04
(Signature of Sign Poster) (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

RE:	PETITION FOR HONEYGO SPECIAL VARIANCE 8947, 9000, & 9019 Cowenton Ave; NE/side Cowenton Ave, 455' NW c/line Lolly Lane 11th Election & 5th Councilmanic Districts Legal Owner(s): William A Spangler Contract Purchaser(s): Honeybrook Farms, LLC, Ronald Schaftel Petitioner(s)	*	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 04-312-A

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

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of January, 2004, a copy of the foregoing Entry of Appearance was mailed to, David K Gildea, Esquire, Gildea, LLC, 301 N Charles Street, St 900, Baltimore, MD 21201, Attorney for Petitioner(s).

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

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 10, 2004 Issue - Jeffersonian

Please forward billing to:
David Gildea, LLC 410-234-0070
301 N. Charles Street, Ste. 900
Baltimore, MD 21201

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: 04-312-A
8947, 9000 & 9019 Cowenton Avenue
N/east side of Cowenton Avenue at a point, 455 feet n/west of centerline of Lolly Lane
11th Election District – 5th Councilmanic District
Legal Owner: William Spangler

Honeygo Special Variance to permit sewer connection for a residential development to a completed sewer interceptor in another subarea.

Hearing: Thursday, February 26, 2004,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

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

January 23, 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: 04-312-A
8947, 9000 & 9019 Cowenton Avenue
N/east side of Cowenton Avenue at a point, 455 feet n/west of centerline of Lolly Lane
11th Election District – 5th Councilmanic District
Legal Owner: William Spangler

Honeygo Special Variance to permit sewer connection for a residential development to a completed sewer interceptor in another subarea.

Hearing: Thursday, February 26, 2004,at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Timothy Kotroco
Director

TK:klm

C: David Gildea, 301 N. Charles St., Ste. 900, Baltimore 21201
William Spangler, 9019 Cowenton Ave., Perry Hall 21128
Honeybrook Farm, LLC, 111 S. Calvert St., Ste. 2820, Baltimore 21202

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, FEBRUARY 11, 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.*

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: 04-312-A

Petitioner: William A. Spangler

Address or Location: 8147 9000 [redacted] 9019 Cowenton Ave

PLEASE FORWARD ADVERTISING BILL TO:

Name: David K. Gildea, ESQ

Address: 301 N. Charles St. Suite 900
Balto, Md. 21201

Telephone Number: 410-234-0070

Revised 2/20/98 - SCJ

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 27, 2004

David K. Gildea
301 N. Charles Street, Suite 900
Baltimore, Maryland 21201

Dear Mr. Gildea:

RE: Case Number:04-312-A, 8947, 9000, 9019 Cowenton Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 6, 2004.

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:clb

Enclosures

c: People's Counsel
William Spangler 9019 Cowenton Avenue Perry Hall 21128
Honeybrook Farm, LLC 111 Ronald Schaftel 111 S. Calvert Street, Suite 2820 Baltimore 21202

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

January 20, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: January 20, 2004

Item No.: 311-320 (312)

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: February 10, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For January 26, 2004
Item Nos. 311, 312, 313, 314, 315, 316,
317, 319, and 320

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

RWB:CEN:jrb

cc: File

ZAC-01-26-2004-NO COMMENT ITEMS 311-320-02022004

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley RBS

DATE: January 26, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of January 20, 2004

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

04-311

04-312-XA ?

04-313

04-314

04-315

04-317

04-320

Reviewers: Sue Farinetti, Dave Lykens

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

HOH XE-923

Jack 2/3/04 Not Posted

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 27, 2004

RECEIVED
JAN 28 2004
ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case 04-312**

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

Prepared By: Mark A Cunningham

Section Chief:

AFK/LL

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: 1.20.09

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

RE: Baltimore County
Item No. 312 JS

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,

K. A. McDonald

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

GILDEA, LLC

301 NORTH CHARLES STREET

SUITE 900

BALTIMORE, MARYLAND 21201

TELEPHONE 410-234-0070

FACSIMILE 410-234-0072

www.gildeallc.com

DAVID K. GILDEA
DAVIDGILDEA@GILDEALLC.COM

SEBASTIAN A. CROSS
SCROSS@GILDEALLC.COM

JOSEPH R. WOOLMAN, III
JWOOLMAN@GILDEALLC.COM

D. DUSKY HOLMAN
DHOLMAN@GILDEALLC.COM

STUART W. COX
SCOX@GILDEALLC.COM

January 6, 2004

Mr. Timothy Kotroco, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

Re: Honeybrook Farm / PDM # XI-923

VI-312-A

Dear Tim:

Pursuant to Baltimore County Code (BCC) Section 26-206.1, the applicant for the above referenced project hereby requests that the Petitions for Variance be combined with the Development Plan and heard together at the Hearing Officer's Hearing.

Should you have any questions regarding this matter, please contact me. With kind regards, I am

Very truly yours,

David K. Gildea

JRW: bhb
CC: David Altfeld, Southern Land
Ron Schaftel, Southern Land
Dean C. Hoover, Morris & Ritchie
David K. Gildea, Esquire

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 04-312-A

Date Completed/Initials

1/23/04 PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

2/10/04 INDEX CARDS (prepare index cards, according to sample; file cards in cabinet) 3/18/04

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

2/27/04 CLH COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

D.R. 3.5
H

E 49,500

AVE

R.3.5
H

COWENTON

D.R. 3.5
H

SITE

AVE.

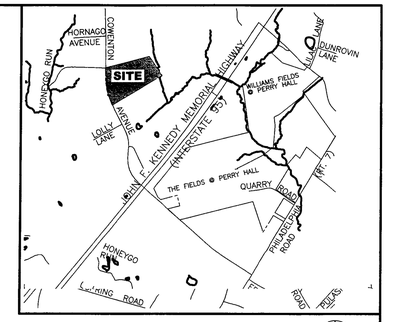
D.R. 3.5
H

#312

MRA	**MORRIS & RITCHIE ASSOCIATES, INC.** ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS 1220-C EAST JOPPA ROAD, SUITE 505 TOWSON, MARYLAND 21286 (410) 821-1690 FAX: (410) 821-1748	**ZONING EXHIBIT** **HONEYBROOK FARM** BALTIMORE COUNTY, MARYLAND			
DATE OF PHOTOGRAPH JANUARY 1986	LOCATION: PERRY HALL	SHEET: N.E. 9-I	SCALE: 1"=200'	DATE: 12/16/2003	JOB NO.: 12746

LEGEND:

- TRACT BOUNDARY
- PROPOSED LOT LINE
- ADJACENT PROPERTY LINE
- RIGHT-OF-WAY LINE
- 620 EXISTING CONTOUR
- BUILDING SETBACK LINE
- GcC2 BALTIMORE COUNTY SOILS
- EXISTING TREELINE
- PROPOSED TREELINE
- EXISTING WETLANDS
- SUBSEWERSHED DIVIDE
- TBR TO BE RAZED



VICINITY MAP

SCALE: 1"=1000'

BENCHMARK:

GIS – 13: E 1,473,587.627, N 616,483.977, ELEVATION 122.13.
GIS – 60: E 1,470,324.582, N 637,377.944, ELEVATION 263.47.

HORIZONTAL COORDINATE VALUES ARE NAD 83/91 DATUM GIVEN IN COLUMNS 5 & 6 IN US SURVEY FEET.
VERTICAL REFERENCES ARE IN THE NAVD 88 DATUM.

BUILDING SETBACKS

COMBINED HONEYGO RESIDENTIAL BUILDING SETBACK AND LOT WIDTH

DESCRIPTION	ZONES DR 1H & DR 2H (FEET)	ZONES DR 3.5H, DR 5.5H, DR 10.5H, DR 16H (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 IN FRONT YARD)	10'	10'
FROM BUILDING FACE (FRONT, SIDE OR REAR) TO: RIGHT-OF-WAY OF A MAJOR OR MINOR ARTERIAL OR COLLECTOR ROAD (NOT APPLIED TO PORCHES OR STOOPS IN FRONT YARD)	40'	40'
FROM FRONT BUILDING FACE TO: FRONT PROPERTY LINE (NOT A STREET LINE)	25'	25'
FROM REAR BUILDING FACE 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 SETBACK AREA.)	50'	50'
FROM BUILDING FACE TO: THE SIDE YARD LOT LINE THAT IS NOT ADJACENT OR THE SAME AS A PUBLIC RIGHT-OF-WAY IF THE DWELLING UNIT HAS A SIDE OR REAR ENTRY GARAGE.	6' (SUM OF ALL SIDE YARDS WIDTHS MAY NOT BE LESS THAN 20')	6' (SUM OF ALL SIDE YARDS WIDTHS MAY NOT BE LESS THAN 20')
FRONT ENTRY GARAGE SHALL BE RECESSED BEHIND THE FRONT FACADE OF THE DWELLING.	8' MIN.	8' MIN.
SIDE BUILDING FACE TO: SIDE BUILDING FACE	30' SEPARATION	SEPARATION BLDG. HGT.<20'=16' BLDG. HGT.>20'=20'
SIDE BUILDING TO TRACT BOUNDARY	25'	15'
MINIMUM WIDTH FOR SINGLE FAMILY DETACHED LOT MEASURED ALONG BOTH THE FRONT WALL & REAR WALL OF THE DWELLING UNIT	85'	85'

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

OWNER/APPLICANT/DESIGN CONSULTANT:

1. OWNERS:
   A. TAX MAP 72, PARCEL 184
   CHARLES M. SPANGLER
   SHARON J. SPANGLER
   9019 COWENTON AVE.
   PERRY HALL, MD 21128
   ACCOUNT NUMBER: 1103067450

   B. TAX MAP 72, PARCEL 474 & 830
   CHARLES M. SPANGLER
   SHARON J. SPANGLER ETAL
   WILLIAM A. SPANGLER, JR.
   9019 COWENTON AVE.
   PERRY HALL, MD 21128
   ACCOUNT NUMBERS: 1119071050 & 1119071025

   C. TAX MAP 72, PARCEL 58
   HONEYBROOK FARM LLC
   C/O SOUTHERN LAND
   111 S. CALVERT ST., SUITE 2820
   BALTIMORE, MD 21202-6100
   ACCOUNT NUMBER: 1600006024

2. CONTRACT PURCHASER/DEVELOPER:
   HONEYBROOK FARM, LLC
   C/O MR. RONALD SCHAFTEL
   111 S. CALVERT STREET, SUITE 2820
   BALTIMORE, MD 21202

3. PLAN PREPARED BY:
   MORRIS & RITCHIE ASSOCIATES, INC.
   1220-C EAST JOPPA ROAD, SUITE 505
   TOWSON, MD 21286
   PHONE: 410-821-1690

SITE DATA/GENERAL NOTES:

1. SITE ACREAGE:
   GROSS SITE AREA: 12.99 AC.±
   AREA WITHIN RIGHT-OF-WAY: 0.5 AC.±
   NET SITE AREA: 12.49 AC.±
2. EXISTING ZONING: DR 3.5 H (HONEYGO OVERLAY DISTRICT)
3. EXISTING LAND USE: RESIDENTIAL
4. PROPERTY INFORMATION:
   a. TAX ACCOUNT NUMBERS: 1103067450, 1119071025, 1119071050, 1600006024
   b. DEED REFERENCE: 15422/346, 13096/1 & 7234/105
   c. COUNCILMANIC DISTRICT: #5
   d. ELECTION DISTRICT: #11
   e. CENSUS TRACT: 4113.05
   f. ADC MAP NO.: 29, GRID 7H
   g. BALTIMORE CO. TOPOGRAPHIC: NE I-9 & I-10
   h. BALTIMORE CO. ZONING MAP: NE I-9 & I-10
   i. TAX MAP: #72, GRID: 17
   j. PARCEL: 184, 830, 474 & 58
   k. WATERSHED: HONEYGO RUN & BIRD RIVER
   l. SUBSEWERSHED: GUNPOWDER & BIRD RIVER
5. LAND USE:
   EXISTING: 3 RESIDENTIAL DWELLINGS
   PROPOSED: 31 SINGLE FAMILY DWELLINGS (INCLUDING 3 EXISTING DWELLINGS)
6. DENSITY CALCULATIONS:
   UNITS PERMITTED (12.99x3.5): 45.5 UNITS PERMITTED
   TOTAL UNITS PROPOSED : 31
7. AVERAGE DAILY TRIPS (10/DWELLING UNIT) = 310 ADT'S
8. PARKING:
   PARKING REQUIRED (2 PS/DWELLING UNIT) = 62 PS
   PARKING PROVIDED = 62 PS
   (INDIVIDUAL DRIVEWAYS AND/OR GARAGES)
9. EXISTING ROAD:
   COWENTON AVENUE: 40' PAVING, 60' ULTIMATE RIGHT-OF-WAY

SITE DATA/GENERAL NOTES CONTINUED

10. ALL PUBLIC UTILITIES AND LIGHTING WILL BE LOCATED AS REQUIRED PER BALTIMORE COUNTY REGULATIONS.
11. THERE ARE NO SLOPES GREATER THAN 25% ON THIS SITE.
12. REVISED FOREST BUFFER EASEMENT, AS SHOWN, WAS SUBMITTED TO DEPRM WITH REVISED STEEP SLOPE ANALYSIS ON DECEMBER 9, 2003 FOR APPROVAL.
13. ZONING SETBACKS REQUIRED:
    SEE (COMBINED) CHART OF RESIDENTIAL "BUILDING SETBACKS" FOR D.R. ZONES IN HONEYGO OVERLAY DISTRICT THIS SHEET.
14. SIGNAGE:
    COMMUNITY ENTRANCE SIGN IS PROPOSED IN ADDITION TO COMMUNITY REGULATORY SIGNS. ALL SIGNS SHALL CONFORM TO BALTIMORE COUNTY SIGNAGE REGULATIONS (BCZR SECTIONS 102.5, 259.9D AND 450). APPROVAL OF THE COMMUNITY ENTRANCE SIGN SHALL OCCUR PRIOR TO ISSUANCE OF THE BUILDING PERMIT FOR SAME.
15. BOUNDARY INFORMATION HAS BEEN GENERATED FROM A FIELD SURVEY COMPLETED 10/29/02 BY MORRIS & RITCHIE ASSOCIATES, INC.
16. THIS SITE IS NOT WITHIN THE DESIGNATED AREAS OF CRITICAL STATE CONCERN IDENTIFIED AS SUCH UNDER THE PROCEDURES OF SECTION 5-611 OF THE STATE FINANCE AND PROCUREMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.
17. THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
18. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO HAZARDOUS MATERIAL AS DEFINED BY SECTION 7-101 OF THE ENVIRONMENTAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND.
19. ALL PREVIOUSLY EXISTING SEPTIC AND WELLS SHALL BE ABANDONED PER BALTIMORE COUNTY PROCEDURE AT THE APPROPRIATE TIME. THIS SITE IS PROPOSED FOR PUBLIC WATER AND SEWER.
20. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO BUILDINGS, PROPERTIES OR SITES WITHIN OR CONTIGUOUS TO THE PROPOSED DEVELOPMENT THAT CONTAIN ANY SITES OF ARCHAEOLOGICAL SIGNIFICANCE OR ARE INCLUDED ON THE MARYLAND HISTORICAL TRUST INVENTORY OF HISTORIC PROPERTIES, THE BALTIMORE COUNTY PRELIMINARY OR FINAL LANDMARKS LIST, THE NATIONAL REGISTER OF HISTORIC PLACES, THE MARYLAND ARCHAEOLOGICAL SURVEY, OR ANY BALTIMORE COUNTY HISTORIC DISTRICT OR NATIONAL REGISTER HISTORIC DISTRICT COVERING THE PROPOSED DEVELOPMENT.
21. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO KNOWN RARE, THREATENED, OR ENDANGERED SPECIES OR COMMUNITIES KNOWN TO EXIST ON THIS SITE.
22. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO KNOWN UNDERGROUND TANKS LOCATED ON THIS SITE.
23. ZONING HISTORY:
    NO PREVIOUS ZONING CASE ON THIS SITE.
24. NONTIDAL WETLANDS AS SHOWN WAS FIELD-DELINEATED BY McCARTHY & ASSOCIATES (SEPTEMBER 2002).
25. THERE ARE NO FLOODPLAINS ASSOCIATED WITH THE STREAMS ON THIS SITE (WATERSHED AREA LESS THAN 30 ACRES).
26. ALL PRIVATE DRIVEWAYS SHALL BE PAVED IN ACCORDANCE WITH THE PROVISIONS OF THE C.M.D.P. OR WITH THE ZONING POLICY (409.8 BCZR). ALL PARKING AREAS SHALL BE DUST-FREE PAVING WITH THE BUILDER RESPONSIBLE FOR PAVING THE DRIVEWAYS.
27. ACCESS TO FOREST BUFFER EASEMENT ON THIS SITE SHALL BE THRU ADJACENT COWENTON PARK.

VARIANCE REQUEST:

1. VARIANCE FROM BCZR SECTION 259.7 S. TO PERMIT CONNECTION TO A COMPLETED SEWER INTERCEPTOR IN ANOTHER SUBAREA FOR RESIDENTIAL USE.

MD NAD 83

PDM #XI-923

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748

10/6/04

PLAN TO ACCOMPANY VARINACE PETITION

HONEYBROOK FARM

11TH ELECTION DISTRICT 5TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS	
		JOB NO.: 12746
		SCALE: 1"= 40'
		DATE: 01/06/2004
		DRAWN BY: SL
		DESIGN BY: SL
		REVIEW BY: DH
		SHEET: 1 OF 1