IN RE: DEVELOPMENT PLAN HEARING S/S of Forge Road, E of Belair Road 11th Election District 5th Councilmanic District (**Forge Reserve**)	*	BEFORE THE HEARING OFFICER OF BALTIMORE COUNTY
	*	Case No. X-415 & 05-047-A
Nuttal Avenue, LLC *Developer/Petitioners*	*	

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

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 the "Forge Reserve", prepared by D. S. Thaler & Associates, Inc. The Developer is proposing the development of the subject property into 29 single-family dwellings. The subject property is located on the south side of Forge Road, east of Belair Road. 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, the Developer is requesting variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:

1. from Section 259.9.G.3 and Section 504.2 and p. 29 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies, to allow for concrete mountable curbs in lieu of the requirement for standard vertical concrete curbs;

2. from Section 259.9.G.3 and Section 504.2 and p. 29 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies, to allow for sidewalk on only one side of a public street in lieu of the requirement for sidewalk on both sides of a public street; and

3. from Section 259.9.G.3 and Section 504.2 and p. 29 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies, to allow 500 linear ft. of 24' pavement width on a 40' right-of-way in lieu of the requirement for 30' pavement on a 50' right-of-way.

The property was posted with Notice of Hearing Officer's Hearing on September 9, 2004, for 20 working days prior to the hearing, in order to notify all interested citizens of the date and location of the hearing. In addition, the property was posted with Notice of Hearing for the

variance request on September 9, 2004 and a Notice of Zoning Hearing was published in "The Jeffersonian" newspaper on September 21, 2004 to notify any interested persons of the scheduled hearing date of October 1, 2004.

As to the history of the project, a Concept Plan Conference was held on December 1, 2003. A Community Input Meeting was held at the Perry Hall Community Hall on January 15, 2004, and a Development Plan Conference followed on September 15, 2004. A Hearing Officer's Hearing for this development was held on October 7, 2004 in Room 106 of the County Office Building.

Appearing at the hearing on behalf of the Development Plan approval request were Douglas Eshelman, Petitioner, Paul Amirault and D. S. Thaler, Mark Vasil and David Hamil appearing on behalf of D. S. Thaler & Associates, Inc., the firm who prepared the Development Plan. G. Scott Barhight, Esquire represented the Petitioners.

William Libercci from the Perry Hall Improvement Association and Robert Rye appeared at the hearing.

Also in attendance were representatives of the various Baltimore County reviewing agencies; namely, Bruno Rudaitis (Zoning Review), Robert Bowling (Development Plans Review), William Miner (Bureau of Land Acquisition) 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); and Mark Cunningham from the Office of Planning.

Developer Issues

The Developer presented no issues for resolution but noted their requests for two waivers from Department of Public Works policies and a waiver of local open space provisions, as well as three variance requests.

County Issues

Each of the reviewing agencies indicated that the Development Plan met all County regulations with the following highlights:

Office of Planning

The representative of the department indicated that their department was not opposed to the requested Public Works waivers and further noted that they had received and approved the revised Pattern Book for the proposed homes which was included in the file as Developer's Exhibit No. 1.

Recreation and Parks

The representative of the department indicated that the department was in the process of negotiating the fee to be paid by the Developer in lieu of providing active open space. The department supported the requested waiver assuming the fee could be resolved. As this negotiation was not complete, both the Developer and the County agreed to keep the record open for resolution of the issue. Neither the Developer nor the County waived its right to a hearing on this matter if the issue was not resolved. The Developer introduced Exhibit No. 2, a letter dated October 4, 2004 from Scott Barhight to the Director of the department which summarizes the Developer's proposal for this matter. The Developer proposes to pay $43,322.50 as the fee in lieu of providing 20,150 sq. ft. of active open space and to contribute another $3,000.00 toward local recreation and parks projects in the area. The total contribution would then be $46,322.50. By e-mail dated November 1, 2004, the Department approved the fee should the waiver be approved.

Public Works

The representative of the department indicated that the department supported the Developer's request to waive the Public Works Policy and CMDP requirement of sidewalks on both sides of a public street so as to eliminate sidewalks on the inside of the passive open space area (Court B). He felt that sidewalks here were unnecessary, and not having sidewalks would expand the open space area.

He also supported the request to allow Court B to have 24 ft. of paving on a 40 ft. right-of-way in lieu of the Public Works Policy and CMDP requirement to have 30 ft. of paving on a 50 ft. right-of-way. In addition, he felt that full paving and a right-of-way were not necessary because Court B serves only 6 lots.

He also supported the Developer's request for variance from the CMDP requirement to have vertical curbs along public roads. The Developer is proposing mountable curbs instead. He indicated that mountable curbs saved digging up vertical curbs for driveways when the homes are actually located on the lots.

Land Acquisition

The representative of the department indicated that the department had yet to confirm right-of-way issues along the border of this property and Honeygo Boulevard with the Office of Law. Apparently, this Developer is not purchasing Lots 30 and 31 or the beds of future Honeygo Boulevard. Honeygo is a County capital project and the County is acquiring all rights-of-way from others. Both the Developer and the County agreed to keep the record open for resolution of the issue. Neither the Developer nor the County waived its right to a hearing on this matter if the issue was not resolved.

On October 7, 2004, the Department sent an e-mail to the undersigned indicating that the County was pursuing a condemnation case against the owners of these lots which would clear this comment.

Zoning

The representative of the department indicated that the department temporarily approved the shortened version of the standard permit/allocation note now on Development Plan Sheet 3A, but required that the longer more comprehensive version, recommended by Zoning as shown on Zoning comments Item 2, dated September 15, 2004, be included on the Final Development

Plan. The Developer objected to the longer note regarding the requirement in that note, that the Final Development Plan will be amended after all approvals to include a copy of the official authorization letter. The Developer noted that there would be no reason to amend the Final Development Plan for this purpose and that the note given in Developer's Exhibit No. 3 has been the note added to prior approved plans.

Community Concerns

Mr. Rye indicated that he was a nearby property owner and attended the hearing for informational purposes. Mr. Libercci of the Perry Hall Improvement Association indicated that he had no issues or questions concerning the Development Plan and did not object to the Developer's requests for Public Works waivers and zoning variances.

Applicable Law

§ 32-4-228. SAME – CONDUCT OF THE HEARING.

(a) *Hearing conducted on unresolved comment or condition.*

(1) The Hearing Officer shall take testimony and receive evidence regarding any unresolved comment or condition that is relevant to the proposed Development Plan, including testimony or evidence regarding any potential impact of any approved development upon the proposed plan.

(2) The Hearing Officer shall make findings for the record and shall render a decision in accordance with the requirements of this part.

(b) *Hearing conduct and operation.* The Hearing Officer:

(i) Shall conduct the hearing in conformance with Rule IV of the Zoning Commissioner's rules;

(ii) Shall regulate the course of the hearing as the Hearing Officer considers proper, including the scope and nature of the testimony and evidence presented; and

(iii) May conduct the hearing in an informal manner.

§ 32-4-229. SAME – DECISION OF THE HEARING OFFICER.

(a) *Final decision.*

(1) (i) The Hearing Officer shall issue the final decision within 15 days after the conclusion of the final hearing held on the Development Plan.
(iii) The Hearing Officer shall file an opinion which includes the basis of the Hearing Officer's decision.

(2) If a final decision is not rendered within 15 days:

(i) The Development Plan shall be deemed approved as submitted by the applicant; and
(ii) The Hearing Officer shall immediately notify the participants that:

1. The Development Plan is deemed approved; and
2. The appeal period began on the fifteenth day after the conclusion of the final hearing.

(b) *Appeals.* A final decision of the Hearing Officer on a Development Plan may be appealed to the Board of Appeals in accordance with Part VIII of this subtitle.

(c) *Conditions imposed by Hearing Officer.*

(1) This subsection does not apply to a Development Plan for a Planned Unit Development.
(2) In approving a Development Plan, the Hearing Officer may impose any conditions if a condition:

(i) Protects the surrounding and neighboring properties;
(ii) Is based upon a comment that was raised or a condition that was proposed or requested by a participant;
(iii) Is necessary to alleviate an adverse impact on the health, safety, or welfare of the community that would be present without the condition; and
(iv) Does not reduce by more than 20 %:

1. The number of dwelling units proposed by a residential Development Plan in a DR 5.5., DR 10.5, or DR 16 zone; or
2. The square footage proposed by a non-residential Development Plan.

(3) The Hearing Officer shall base the decision to impose a condition on factual findings that are supported by evidence.

Prior Law Still Applicable Section 26-206 of the B.C.Z.R. Development Plan Approval.

(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.

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

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Testimony and Evidence

The Developer offered Developer's Exhibit Nos. 3A and 3B, the Redline Development Plan, and indicated that it met all County regulations. Mr. Barhight proffered that the property was 20.1 acres in size and is zoned DR 3.5H. The Developer intends to build 29 single-family dwellings. However, the Developer is not purchasing lots 30 and 31 nor the road bed for future Honeygo Boulevard. These lots contain existing single-family dwellings that will remain. The remaining 29 lots are presently vacant and unimproved.

Mr. Barhight noted that the storm water management pond had been sized to accommodate the rainwater collected on site and a portion of future Honeygo Boulevard. He reiterated the comments from the representative of the Department of Public Works giving reasons to support the Public Works waivers and variance requests as above. He noted that the sidewalk and right-of-way waivers are identical to requests for variance under similar requirements of the CMDP. Again, these were unnecessary under the circumstances and would be a hardship on the Developer to requires these features. Similarly, he noted that if mountable curbs are not allowed, the standard vertical curbs would have to be remove in the area on the

new driveway after installation, when the new home is located and garage door located. This is wasteful.

Findings of Fact and Conclusions of Law

Recreation and Parks

In regard to the Developer's request to pay a fee in lieu of providing 20,150 sq. ft. of active local open space, the Department of Recreation and Parks and the Developer have agreed to the fee of $43, 322.50 which reflects the increased fees for such specified in Resolution 29-04. In addition, the Developer proposes to pay an additional $3000.00 toward local recreation and parks programs for a total of $46,322.50. The reason given for the request is that there is no suitable land available on which this open space can be provided. I note that the Department recommends the waiver and that the Developer proposes to provide the passive open space of 15,434 sq. ft. as shown on Developer's exhibit 3A, whereas only 10,850 sq. ft. are required. Taken together, I find that the Developer's request to pay a fee of $46,322.50 is most reasonable and I will grant the waiver.

Public Works Policy Waivers and Variances

In regard to the Developer's request to waive the Public Works Policy and CMDP requirements of sidewalks along a portion of the south side of Court B north of Road A, I find that sidewalks here are unnecessary and that the lack of such will enhance the new community by providing larger open space and less impervious surface. Public Works supports the waiver and variance.

In regard to the Developer's request to waive the Public Works Policy and CMDP requirements of 30 ft. of paving on 50 ft. of right-of-way along Court B, I find that the Developers proposal to have 24 ft. of paving on a 40 ft. right-of-way, for approximately 350 LF of Court B, to be most reasonable in light of the fact that Court B serves only six lots. The wider

road is unnecessary and the lack of such will result in less impervious surface. Public Works support these waivers and variances.

Finally, in regard to the Developer's request to allow mountable curbs in lieu of the CMDP requirement to install vertical curbs, I will approve this request as it would be simply wasteful for the Developer to install concrete vertical curbs to complete the roads, only to be jack hammered out where the new home's garage requires a driveway for access. Mountable curbs make much more sense in this case.

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Particularly, the sidewalk and right-of-way waivers are identical to a request for variance under similar requirements of the CMDP. Again, these were unnecessary under the circumstances and would be a hardship on the Developer to requires these features. Similarly, he noted that if mountable curbs are not allowed, the standard vertical curbs would have to be removed after installation, when the new home and garage is located. This is wasteful.

Finally, in regard to the issue of the note required by Zoning which notifies the public that building permits will not be issued until allocation letters are approved, I am satisfied that the shorter note now on the Development Plan adequately notifies the public that building permits will not be issued until allocation letters are approved. I will not require the Developer to amend its Final Development Plan simply to add the longer note.

Considering all of the testimony and evidence, I find that the Development Plan marked as Developer's Exhibit No. 1, complies with the development regulations and applicable policies, rules and regulations promulgated pursuant to Section 3-7-203 et seq. of the Baltimore County Code. I further find that 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.

THEREFORE, IT IS ORDERED, by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, this 4 day of November, 2004, that the Developer's requests for variance set forth as follows:

1. from Section 259.9.G.3 and Section 504.2 and p. 29 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies, to allow for concrete mountable curbs in lieu of the requirement for standard vertical concrete curbs;

2. from Section 259.9.G.3 and Section 504.2 and p. 29 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies, to allow for sidewalk on only one side of a public street in lieu of the requirement for sidewalk on both sides of a public street; and

3. from Section 259.9.G.3 and Section 504.2 and p. 29 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies, to allow 500 linear ft. of 24' pavement width on a 40' right-of-way in lieu of the requirement for 30' pavement on a 50' right-of-way.

be and are hereby GRANTED; and

IT IS FURTHER ORDERED that in regard to the Developer's request to pay a fee in lieu of providing 20,150 sq. ft. of active local open space of $46,322.50, be and it is hereby GRANTED; and

IT IS FURTHER ORDERED, that the Redline Development Plan known as the "Forge Reserve", submitted into evidence as "Developer's Exhibit Nos. 3A and 3B", be and it is hereby APPROVED.

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.

ENTERED ORDER PLAT 11/4/04 Rec'd

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
William J. Wiseman III , Zoning Commissioner

November 4, 2004

G. Scott Barhight, Esquire, Esquire
Whiteford, Taylor & Preston, L.L.P.
210 W. Pennsylvania Avenue
Towson, Maryland 21204

Re: Hearing Officer's Hearing Case Nos. XI-955 & 05-047-A
Property: S/S of Forge Road, E of Belair Road
11th Election District, 5th Councilmanic District
(Forge Reserve)

Dear Mr. Barhight:

Enclosed please find the decision rendered in the above-captioned Development Plan and petition for variance cases.

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

c: Douglas Eshelman, 7013 Meandering Stream Way, Fulton, MD 20759
Paul Amirault, P. O. Box 216, Kingsville, MD 21087
D. S. Thaler, Mark Vasil & David Hamil, D. S. Thaler & Associates, Inc
P. O. Box 47428, Baltimore, MD 21244-7428
William Libercci, Perry Hall Improvement Association, 19 Shawn Court,
Baltimore, MD 21236
Robert Rye, 4410 Forge Road, Perry Hall, MD 21128
Northeast Booster, 409 Washington Avenue, Towson, MD 21204

Petition for Variance

to the Zoning Commissioner of Baltimore County

4307 Forge Rd

for the property located at NW/South side of Honeygo Blvd., of Forge Rd. which is presently zoned D.R. 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)

Please see attached

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

Reasons to be provided 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:

N/A
Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s):

Nuttal Ave, LLC
Name - Type or Print

Signature

Douglas F. Eshelman
Name - Type or Print

Signature

603 St. Frances Road 410 832 2077
Address Telephone No.

Towson, Maryland 21286
State Zip Code

Attorney For Petitioner:

Sang W. Oh/G.Scott Barhight
Name - Type or Print City

Signature

Whiteford, Taylor & Preston
Company

210 W. Pennsylvania Ave. (410) 832-2000
Address Telephone No.

Towson, MD 21204
City State Zip Code

Representative to be Contacted:

~~Sang W. Oh~~ Jenn Busse
Name

210 W. Pennsylvania Ave. (410) 832-~~2000~~ 2077
Address Telephone No.

Towson, MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Case No. 05-047-A

Reviewed By BK Date 7/26/04

REV 9/15/98

ORDER RECEIVED FOR FILING
Date 11/4/04
By

REQUESTS FOR VARIANCE:

(V-1) Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 29 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies ("CMDP"), variance to allow for concrete mountable curbs in lieu of the requirement for standard vertical concrete curbs.

(V-2) Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 29 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies ("CMDP"), variance to allow for sidewalk on only one side of a public street in lieu of the requirement for sidewalk on both sides of a public street.

(V-3) Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 29 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies ("CMDP"), variance to allow 500 linear feet of 24' pavement width on a 40' right-of-way in lieu of requirement for 30' pavement on a 50' right-of-way.

#0747

ATTACHMENT TO PETITION FOR VARIANCE

"Forge Reserve"

NW/South side of Honeygo Blvd., South of Forge Road

Legal Owner for *Parcel 147*

Anna M. Dietz
4307 Forge Road
Perry Hall, MD 21128

Anna M Dietz

Signature

#047

ATTACHMENT TO PETITION FOR VARIANCE
"Forge Reserve"
NW/South side of Honeygo Blvd., South of Forge Road

Legal Owner(s) for *Parcel 450:*

Robert C. Kraft
4323 Forge Road
Perry Hall, MD 21128

Robert C Kraft
Signature

Mary C. Kraft
4323 Forge Road
Perry Hall, MD 21128

Mary C. Kraft
Signature

#047

ATTACHMENT TO PETITION FOR VARIANCE

"Forge Reserve"

NW/South side of Honeygo Blvd., South of Forge Road

Legal Owner for *Parcel 500*:

Joseph Henry Kraft
7310 Longfield Drive
Kingsville, MD 21087

Joseph Henry Kraft
Signature

#047

ATTACHMENT TO PETITION FOR VARIANCE

"Forge Reserve"

NW/South side of Honeygo Blvd., South of Forge Road

Legal Owner for *Parcel 604*:

Doris M. Kraft
7310 Longfield Drive
Kingsville, MD 21087

Doris M. Kraft
Signature

#047

ATTACHMENT TO PETITION FOR VARIANCE

"Forge Reserve"

NW/South side of Honeygo Blvd., South of Forge Road

Legal Owner for *Parcel 499*:

Robert Leroy Kile
4838 Ridge Road
Perry Hall, MD 21237

Robert A Leroy Kile Jr
Signature

#047

December 23, 2003

ZONING DESCRIPTION

FORGE RESERVE PROPERTY

Beginning for the same at a point on the north side of Forge Road (30-foot right-of-way) at a point approximately 560 feet northeasterly from the intersection of the center of Belair Road, thence running the following thirteen (13) courses and distances:

1. North 89°49'24" East 204.18 feet, more or less, to a point; thence,
2. South 88°12'31" East 301.00 feet, more or less, to a point; thence,
3. South 49°35'44" East 388.12 feet, more or less, to a point; thence,
4. North 05°37'22" East 230.27 feet, more or less, to a point; thence,
5. South 88°08'44" East 125.29 feet, more or less, to a point; thence,
6. South 88°02'36" East 94.64 feet, more or less, to a point; thence,
7. South 85°22'38" East 285.02 feet, more or less, to a point; thence,
8. South 02°35'43" West 237.50 feet, more or less, to a point; thence,
9. South 32°16'40" East 198.67 feet, more or less, to a point; thence,
10. South 42°58'00" West 246.18 feet, more or less, to a point; thence,
11. South 43°13'15" West 527.90 feet, more or less, to a point; thence,
12. North 49°35'44" West 1,176.94 feet, more or less, to a point; thence,
13. North 00°40'08" East 268.65 feet, more or less, to the point of beginning.

Containing 20.0698 acres of land, more or less.

H:\CORRESPONDENCE\PROJECTS\Forge Reserve\Zoning Description BFL 12 23 03.doc

#047

CERTIFICATE OF POSTING

RE: Case No.: 05-047-A

Petitioner/Developer: NUTTAL AVE, LLC.

DOUGLAS F. ESHELMAN

Date of Hearing/Closing: OCT 7, 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}

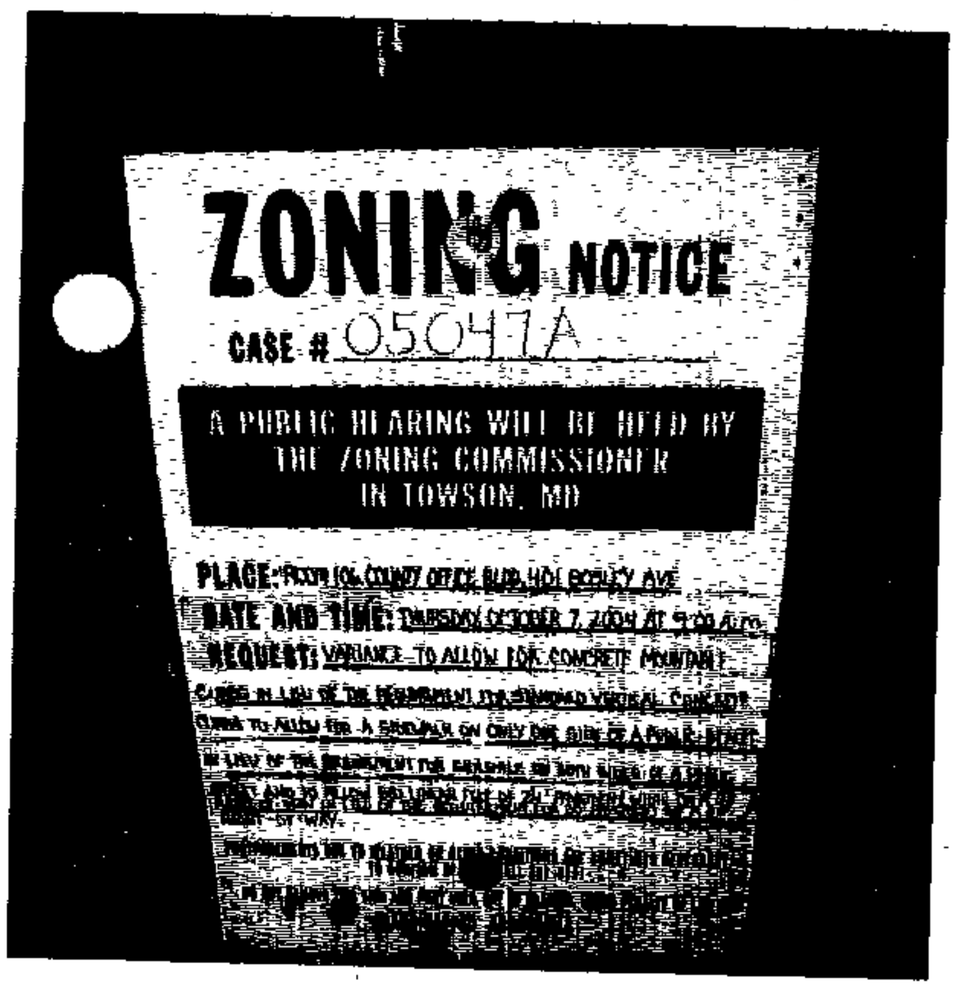
Ladies and Gentlemen:

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:

4301 FORGE RD

The sign(s) were posted on 9/9/04
(Month, Day, Year)

Sincerely,



Robert Black 9/13/04
(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)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 21, 2004 Issue - Jeffersonian

Please forward billing to:
Jennifer Busse
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue
Towson, MD 21204

410-832-2077

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: 05-047-A
4307 Forge Road
N/side of Forge Road, 560 feet n/east of centerline of Belair Road
11th Election District – 5th Councilmanic District
Legal Owners: Nuttal Ave, LLC, Douglas F. Eshelman, Robert & Mary Kraft, Joseph & Doris Kraft, Anna Dietz & Robert Kile

Variance to allow for concrete mountable curbs in lieu of the requirement for standard vertical concrete curbs, to allow for a sidewalk on only one side of a public street in lieu of the requirement for sidewalk on both sides of a public street, and to allow 500 linear feet of 24' pavement width on a 40' right-of-way in lieu of the requirement for 30' pavement on a 50'right-of-way.

Hearing: Thursday, October 7, 2004 at 9:00 a.m. in Room 106, County Office Building, 401 Bosley 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

August 3, 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: 05-047-A
4307 Forge Road
N/side of Forge Road, 560 feet n/east of centerline of Belair Road
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Hearing: Thursday, October 7, 2004 at 9:00 a.m. in Room 106, County Office Building, 401 Bosley Avenue

Timothy Kotroco
Director

TK:klm

C: Sang Oh/Scott Barhight, 210 W. Pennsylvania Ave., Towson 21204
Douglas Eshelman, 603 St. Frances Rd., Towson 21286
Jennifer Busse, 210 W. Pennsylvania Ave., Towson 21204

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, SEPTEMBER 22, 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: 05-047-A

Petitioner: Nuttal Ave, LLC

Address or Location: 4307 Forge Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jennifer Busse, Esq.

Address: Whiteford Taylor & Preston LLP
210 W. Pennsylvania Ave Suite 400 Towson MD 21204

Telephone Number: 410 832 2077

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

September 27, 2004

Sang W. Oh
G. Scott Barhight
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue
Towson, Maryland 21204

Dear Mr. Oh and Mr. Barhight:

RE: Case Number:05-047-A, 4307 Forge Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 26, 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
Nuttal Avenue, LLC. Douglas E. Eshelman 603 St. Frances Rd. Towson 21286
Jenn Busse 210 W. Pennsylvania Avenue Towson 21204

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

August 2, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: ~~August~~ 2, 2004

Item No.: 002, 036-~~049~~047, 051

Dear Ms. Mathews:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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: August 26, 2004

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

RWB/RJF

SUBJECT: Zoning Advisory Committee Meeting
For August 9, 2004
Item Nos. 036, 037, 038, 039, 040, 041,
044, 045, 046, 047, 048, and 051

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

RWB:CEN:jrb

cc: File

ZAC-08-09-2004-NO COMMENT ITEMS 002-036 – 051-08252004

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr JDO

DATE: August 25, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of August 2, 2004

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

05-002
04-037
04-038
04-039
04-040
04-041
04-044
04-045
04-047
04-048
04-049
04-051

Reviewers: Sue Farinetti, Dave Lykens

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

SHA
State Highway Administration
Driven to Excel

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

Maryland Department of Transportation

Date: 8·2·04

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

RE: Baltimore County
Item No. 047 BPR

Dear. Ms. Matthews:

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,

S. D. Foster

Steven D. Foster, Acting Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND
Interoffice Memorandum

DATE: July 29, 2004

TO: Hearing Officer

FROM: W. Carl Richards, Jr.

SUBJECT: Petition 05-047-A

This office accepted this petition for filing. When this petition was filed the staff recommended that language be included to also waive the standard public improvement obligations in addition to the overlay requirements in the BCZR pursuant to sections 32-4-107, 32-4-302, and 32-4-407 BCC. The petitioner declined in favor of only addressing the overlay design standards. Should the requested design and improvements, also not comply with the standard county designs standards, Zoning Review is notifying the hearing officer that the application is incomplete; along with any relief granted without addressing the DPW standards or determine that the overlay relief would be inclusive of all other county design requirements.

RE:	PETITION FOR VARIANCE 4307 Forge Road; N/side Forge Road, 560' NE c/line Belair Road 11th Election & 5th Councilmanic Districts Legal Owner(s): Nuttal Avenue, LLC; Douglas F. Eshelman Petitioner(s)	*	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 05-47-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 9th day of August, 2004, a copy of the foregoing Entry of Appearance was mailed to, Jennifer R. Busse, Esquire, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Towson, MD 21204 , Attorney for Petitioner(s).

RECEIVED
AUG 09 2004
Per.....

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

WHITEFORD, TAYLOR & PRESTON
L.L.P.

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515
410 832-2000
FAX 410 832-2015
www.wtplaw.com

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

30 COLUMBIA CORPORATE CENTER
10440 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044
TELEPHONE 410 884-0700
FAX 410 884-0719

1025 CONNECTICUT AVENUE, NW
WASHINGTON, D.C 20036-5405
TELEPHONE 202 659-6800
FAX 202 331-0573

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5742
FAX 703 836-0265

JENNIFER R. BUSSE
DIRECT NUMBER
410 832-2077
jbusse@wtplaw.com

To Kristen. 8/2/04 Granted. TMK

July 29, 2004

Timothy M. Kotroco, Director
Department of Permits and Development Management
Baltimore County Office Building
Towson, Maryland 21204

Re: Forge Reserve - Request for a Combined Hearing pursuant to § 26-601.1 of the Baltimore County Code

Dear Mr. Kotroco:

Please accept this letter as the Developer's written request, pursuant to § 26-601.1 of the Baltimore County Code, for a combined zoning and development plan approval hearing with respect to the above-referenced matter.

The Developer's engineer, D.S. Thaler & Associates, filed the Development Plan yesterday. I am providing Walt Smith, the project manager, with a copy of this letter. The Zoning Petitions were taken in by Bruno Ruditis on Monday, July 26, 2004.

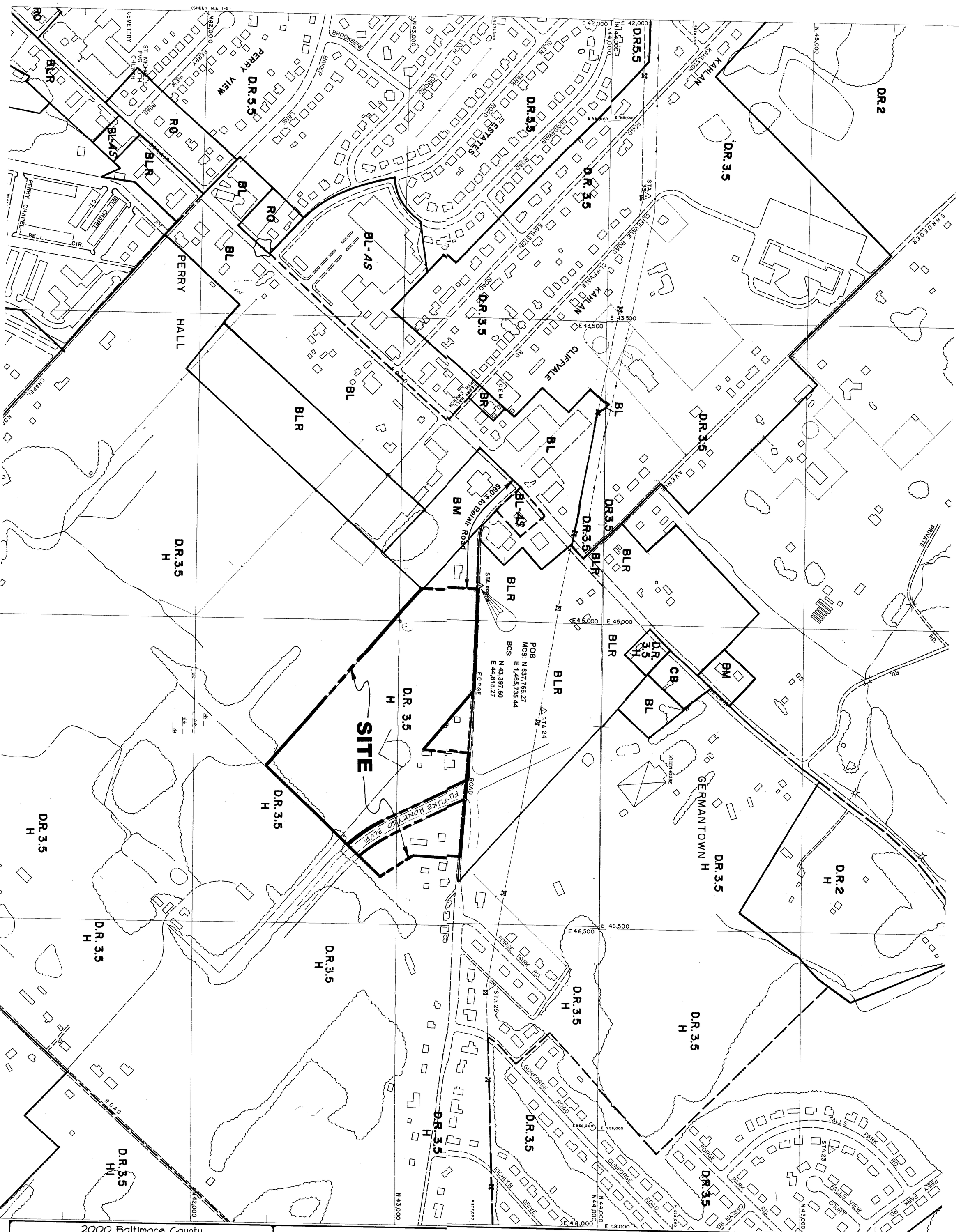
Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely yours,

Jennifer R. Busse

JRB:jrb
cc: Walt Smith
Doug Eshelman
Stacey McArthur
312217

RECEIVED
JUL 30 2004
04-2053
DEPT OF PERMITS AND
DEVELOPMENT MANAGEMENT



2000 Baltimore County
200 Scale Zoning Map (NE 11-H, NE 12-H)
To Accompany Special Hearing

FORGE RESERVE

ELECTION DISTRICT: 11 COUNCILMANIC DISTRICT: 5

DATE: 12-22-03

NORTH

0' 50' 100' 200' 400'

SCALE: 1" = 200' - 0"

D. S. THALER & ASSOC., INC.

CIVIL ENGINEERS
LANDSCAPE ARCHITECTS

SURVEYORS
LAND PLANNERS

7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
(410) 944-ENGR, (410) 944-3647

DS T&A

GENERAL NOTES

1. DEVELOPMENT NAME: FORGE RESERVE
2. DEVELOPER:
NUTTAL AVE., LLC
603 ST. FRANCIS RD.
TOWSON, MD 21286
410-792-2926
2. OWNERS:

P.147
JOHN H. DIETZ
ANNA M. DIETZ
4307 FORGE RD.
PERRY HALL, MD 21128

P.449
ROBERT LEROY KILE
4838 RIDGE RD.
BALTIMORE, MD 21237

P.604
DORIS M. KRAFT
7310 LONGFIELD DR
KINGSVILLE, MD 21087

P.450
ROBERT C. KRAFT
MARY C. KRAFT
4323 FORGE RD.
PERRY HALL, MD 21128

P.500
JOSEPH HENRY KRAFT
7310 LONGFIELD DR
KINGSVILLE, MD 21087

3. PLAN PREPARED BY:
D.S. Thaler & Associates, Inc.
7115 Ambassador Road,
P.O. Box 47428
Baltimore, Maryland 21244
ATTN: Stacey A. McArthur, R.L.A.
(410) 944-3647

4. PROPERTY REFERENCES:

PARCEL	TAX ACCOUNT #	DEED	HELD SINCE	TAX MAP-GRID	ADC MAP
P. 147	1104035126	2281/305	1953	63-22	24-F3
P. 450	1111018180	4716/42	1967	63-22	24-F3
P. 499	1600004130	17808/716	1949	63-22	24-F3
P. 500	1600004131	11212/555	1884	63-22	24-F3
P. 604	2000013884	11212/560	1884	63-22	24-F3

Boundary: D.S. Thaler & Associates, Inc. (June, 2003)

Topography: Kings Aerial Mapping Co., Inc. (March 2003)

Utilities: Baltimore County Key Map (Q-5E&Q-5H)
Baltimore County Design Drawings as noted.

Zoning: Baltimore County 200 Scale Zoning Map (2000) (NE-11H)

Soils: U.S.D.A. Baltimore County Soil Survey Manual (Map 30)

Floodplain: D.S. Thaler & Associates, Inc. (May 2004)
100 year floodplain exists on site

Wetlands Delineation: American Land Concepts (November 2003)
Approved by DEPRM: 1.14.04
There are no tidal wetlands on-site

Steep Slopes & Erodible Soils Analysis: D.S. Thaler & Associates, Inc. August 2003.
Approved by DEPRM: 2.4.04

Forest Stand Delineation: American Land Concepts (November 2003)
Approved by DEPRM: 1.14.04

Forest Conservation Worksheet: D.S. Thaler & Associates, Inc. November 2003.
Approved by DEPRM: 1.14.04

Alternatives Analysis: D.S. Thaler & Associates, Inc. (May 2004)
Approved by DEPRM: Pending

5. GENERAL DATA:
Election District: 11
Census Tract: 4113.04
Councilmanic District: 5
Watershed: Honeygo Run
Subsewershed: 25
Regional Planning District: 317

School Information:
School District: Gunpowder Elem/Perry Hall Middle/Perry Hall High (2002-2003)

	State Rated Capacity (SRC)	Enrollment Sept. 30th	Enrollment Total Projected	Projected # pupils for this project	Capacity Above	Capacity Below	Projected # pupils as a % of SRC
Elementary:	564	415	506	11	--	58	84.7%
Middle:	1676	1537	1542	5	--	134	92.0%
High School:	2110	2283	2240	7	180	--	108.5%

Adjacent High School District with additional capacity: Loch Raven High School

	State Rated Capacity (SRC)	Enrollment Sept. 30th	Enrollment Total Projected	Projected # pupils for this project	Capacity Above	Capacity Below	Projected # pupils as a % of SRC
High School:	1104	1036	1043	7	--	61	94.5%

6. SITE INFORMATION:
A. Acreage:
Gross = 14.72 Ac±
Net = 20.07 Ac±

Area of Property		Right-of-way (30' wide) FUTURE HONEYGO BLVD.	FORGE ROAD	Total Gross
Location West of Future Honeygo Boulevard	16.18 Ac.±	0.43 Ac.±	0.47 Ac.±	17.08 Ac.±
Location East of Future Honeygo Boulevard	2.02 Ac.±	0.42 Ac.±	(2.02 Ac.±)	2.64 Ac.±
TOTAL:	18.2 Ac.±	0.85 Ac.±	0.67 Ac.±	14.72 Ac.±

B. Existing Zoning: DR-3.5H @ 14.72 Ac±

C. Density Calculations:
Allowed: DR-3.5H @ 14.72 Ac± = 69 dwellings

Proposed: 29 dwellings
+ 1 existing dwelling
30 dwellings

PARCEL 'A' (Reserved for future development)
PARCEL 'A' (includes 1 existing dwelling)
38 density units remaining

D. Parking: Required: 2 spaces per unit
Proposed: 2 spaces per unit

E. Open Space:
"All Open Space shall be in compliance with the Local Open Space Manual, Latest Edition."
Open space is also subject to compliance with Section 259.9E. BCZR.
Required: Open Space
14,500 SF± Active and
10,500 SF± Passive
(or a combination thereof as specified in Section III.D.3.)
Proposed: 0 SF Active-Waiver requested and a fee in lieu to be paid.
15,434 SF Passive Provided

Note: Additional open space will required for the development of Parcel 'A'.

F. Landscape requirements as specified in the Baltimore County Landscape Manual, adopted Augst 1, 2000 and as amended.

Note: Schematic Landscape Plan shown is preliminarily in nature and is to show compliance with the Baltimore County Landscape Manual. The Schematic Landscape Plan is subject to a Final Landscape Plan. Final landscape plan shall be approved prior to building permit application.
1 Planting Unit (P.U.) =
1 major deciduous tree (2-2-1/2" cal.) or
2 minor deciduous trees (1-1/2" cal.) or
2 evergreen trees (6' ht.) or
5 shrubs or
class A: 24- 30" ht.
class B: 18" ht.
500 S.F. of ground cover or
10 herbaceous/perennial (1 gal.)*or
20 herbaceous/perennial (1 quart)
*to meet Class D screening requirements only.

	Required WEST OF HONEYGO BLVD.	Required EAST OF HONEYGO BLVD.	Proposed *
A. STREET FRONTAGE: (Condition A)			
Adjacent Road @ 1 PU/40 L.F.	725 LF±/40= 18.1 P.U.	275 LF±/40= 6.9 P.U.	18.1 P.U.
Interior Road @ 1 PU/20 L.F.	1,937 LF±/20= 96.8 P.U.	625 LF±/20= 31.3 P.U.	96.9 P.U.
M. REAR & SIDE YARD: (Condition M) Class 'A' screen: (minimum installed height of 30" for shrubs and 6' for evergreen trees) 1 PU/15 LF	1,025 LF±/15= 68.3 P.U.	N/A	68.3 P.U.
I. SWM (Condition 'I') Screen adjoining properties, public and private roads when slopes are > 4:1 Class 'A' screen 1 PU/15 LF of perimeter measures at toe of fill slopes and top of cut slopes. No woody vegetation within 15 feet of the toe of fill embankments. 10 foot landscape strip between no planting zone and property line. No woody vegetation within 50 feet of inlet structure. Fencing shall be located min 10' from R/W.	1,086 LF±/15= 72.4 P.U.	N/A	72.4 P.U.
R. OPEN SPACE (Condition 'R') ACTIVE- 650 SF/UNIT= N/A (FEE-IN-LIEU) PASSIVE- 350 SF/UNIT= 10,500 SF @ 1 P.U./500 SF= 21 P.U.	10,500 SF±/500= 21 P.U.	N/A	21 P.U.
Credit may be given for retention of existing trees			
TOTAL:	262.7 P.U.	38.2 P.U.	262.7 P.U.

Credit may be applied for at time of final Landscape Plan submittal.
The final Landscape Plan will be approved prior to grading permit application.
* Planting requirements associated with Parcel 'A' shall be addressed when the parcel is developed.

7. UTILITIES: Public water and sewer will be provided. Onsite utilities will be either public or private.

8. USE: The existing use is Agricultural & Residential. The proposed use is Residential.

9. AVERAGE DAILY TRIPS (ADTS): Average daily trips as calculated from the Baltimore County Comprehensive Manual of Development Policy. Single Family: 30 units x 10/unit = 300 ADTS

10. STORMWATER MANAGEMENT: Stormwater management will conform to Baltimore County Standards.
Stormwater management facilities will be owned and maintained by Baltimore County.
Stormwater management facilities shall be screened from adjacent residential properties.
Preliminary hydrology computations have been provided with the filing of the Development Plan.
The Hydrology Report verifies that the outfalls are suitable.

11. GRADING: Grading shown is schematic only.

12. VEGETATION: Existing vegetation will be retained in areas not needed for construction or grading. Existing vegetation consists of forest and farm fields.

13. SIGHT LINES: Proposed sight lines are shown on the plan and will be cleared and graded and kept permanently clear to ensure unobstructed sight at all times.

14. STORAGE TANKS: There are no known underground storage tank(s) on site.
Existing septic area (as noted) shall be field located, removed and backfilled by a licensed sewage disposal contractor prior to Record Plat approval.
There are no known existing wells on site.

15. LIGHTING: Proposed lighting is shown as ▲. Lighting is schematic and subject to change.

16. ENVIRONMENTAL: There are no known critical areas, archaeological sites endangered species, or hazardous materials* on the site.
*As known to the applicant; location and description of hazardous materials as defined by Section 7-101 of the Environmental Article of the annotated Code of Maryland, as from time to time amended.
"Any Forest Conservation Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas."
"There shall be no clearing, grading, construction or disturbances of vegetation in the Forest Conservation Easement except as permitted by Baltimore County Department of Environmental Protection and Resource Management."
"Any Forest Buffer Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas."
"There shall be no clearing, grading, construction or disturbances of vegetation in the Forest Buffer Easement except as permitted by Baltimore County Department of Environmental Protection and Resource Management."
A Hydrogeological Report and an Environmental Effects Report has been filed concurrently with this Development Plan.
A Preliminary Forest Conservation Plan and worksheet has been filed independently of this plan in accordance with Section 14-408.
This site does not lie within the limits of the Chesapeake Bay Critical Area. No additional information is requested by the Department of Environmental Protection and Resource Management to determine compliance with the Critical Area Local Protection Program pursuant to Section 26-442(a).
Alternatives Analysis has been submitted to DEPRM.

17. No zoning case history has been found.
This property as shown on the plan has been held intact since (see note #4) (according to deed). No known part of the gross area of this property as shown on the plan has been utilized, recorded or represented as density or area to support any off-site dwellings.

18. Future signs shall conform with BCZR Section 450 and all zoning policies. Signs are also subject to compliance with Sections 1025 and 259.9D. BCZR.

19. Maximum building height allowed is 50 feet. Two story homes are generally proposed.

20. Soil and Slope Mitigation Measures:
The developer shall do the following in those areas where severe or moderate soil limitations are indicated and/or steep slopes occur:
a. Insure that grading plans consider protection of these areas from increase in run-off. This may include draining roof down spouts and drives into storm drains.
b. Stabilization of disturbed areas in accordance with approved sediment control practices.
c. Consider geotechnical assistance with on-site inspectors as appropriate.

21. Sidewalks shall be provided on all public roads (subject to waiver request).

22. According to Glenn Hoge, Office of Planning, MTA, the nearest MTA service to this site is at the intersection of Belair Road (US Route 1) and Chapel Road (bus line #15).

23. The CIM was held on January 5, 2004. The minutes which identify all comments can be found in PDM File No. XI-955, on file in Room 123 of the Baltimore County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204.

24. There are no known limitations established by the Courts, County Board of Appeals, Planning Board or Zoning Commissioner which would limit proposed development on site. Restrictive covenants have been recorded with neighboring parties.

25. There are no buildings, properties or sites within or contiguous to the proposed development included on the Maryland Historical Trust Inventory of Historic Properties, 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.

26. All drainage and utility easements shall be 20' wide. Unless noted otherwise.

27. The "Recommended Areas of Critical State Concern" map included on this sheet indicates the general Perry Hall/White Marsh area as a "ground water problem area". No ground water extraction is proposed for this development.

28. There are no Residential Transition Areas (RTA's) on site.

29. All proposed roads are public.
All roads and easements indicated for dedication to Baltimore County will be offered for dedication at no cost to the County.
According the Department of Public Works, Forge Road in not considered to be classified as an arterial or collector road.

30. The Bureau of Traffic Engineering and Planning has confirmed that the subject site is within a traffic deficient area and service level 'D' (per Jeff Rice).

31. Parcels labeled 'H.O.A.' will be dedicated to a Homeowner's Association.

32. Refuse collection and mail delivery will be by Baltimore County curbside (front).

33. "No obstructions of any kind may be placed in any Baltimore County right-of-way or in the entrance to the proposed stormwater management area, except by express written permission by an authorized signatory for Baltimore County."

34. Building envelopes and/or footprints shown are for illustrative purposes and may not represent the final location for any particular dwelling. Final house location will be subject to the various standards and limitations illustrated by the details and charts included on this plan.

35. The Honeygo Overlay Design Guidelines were adopted by the County Council on 3-17-97. The Honeygo Regulations over ride conflicts with other Baltimore County Zoning Regulations.

36. All dwellings will meet the standards set forth in Section 259.9.A-G of BCZR and the Honeygo Overlay District Guidelines.

37. Accessory structures are also subject to compliance with Section 259.9.A.3., open projections (including porches and steps in front yards) by Section 259.9B.4.c., 259.9B.4.e(1) and 259.9B.4.e.(2) and fences by Section 259.9C.6. BCZR.
Accessory structures, including but not limited to solar panels, antennas, satellite dishes, trash pads and storage sheds are not permitted in the front yard of any principal use.
Envelopes shown hereon are for the location of principal buildings only. Accessory structures and projections into yards may be constructed outside the envelope, but must comply with Sections 259.9, 301 and 400 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building permits.)
Fencing shall comply with Section 259.9.C.6. (Baltimore County Zoning Regulations). All fencing shall be in conformance with the Honeygo Overlay District Design Guidelines, and any fence more than three feet high shall also be setback at least five feet from any public right-of-way other than an alley. Landscaping shall be provided on the street side of the fence.

38. All lots are for sale.

39. Existing structures, as noted on the plan, shall be razed by the developer prior to record plat.

40. Highway and highway widenings, slope easements, drainage and utility easements, access easements, forest buffer, forest conservation areas, and stormwater management areas, will be dedicated to Baltimore County.

OPEN SPACE WAIVER NOTE:
Payment of the fee is due prior to the recordation of the record plat. The developer must forward a copy of the receipt of payment from the Baltimore County Office of Budget and Finance to the Department of Recreation and Parks prior to submitting record plat mylars for signature.

SUITABLE OUTFALL STATEMENT

An existing stream flows along the southeastern boundary of the site. A smaller tributary runs parallel to the mainstem, combining approximately 300? downstream from the property. D.S. Thaler & Associates, Inc. has made a visual examination of the on-site stream system. The mainstem stream has banks that are heavily vegetated with shrubs and small trees. Its channel is stable, well-defined, and silty. The smaller tributary forms within a wide, flattened area, collecting many dispersed flows, cutting through the trees as it meanders to the main stream channel. The existing onsite forest stand is densely vegetated with young trees and shrubs. The stream is bordered by mature trees and shrubs. The central stream discharges through an existing culvert which has steep banks on its downstream side. The channel enters a flat, heavily wooded area before combining with the second on-site stream at the southern property line.

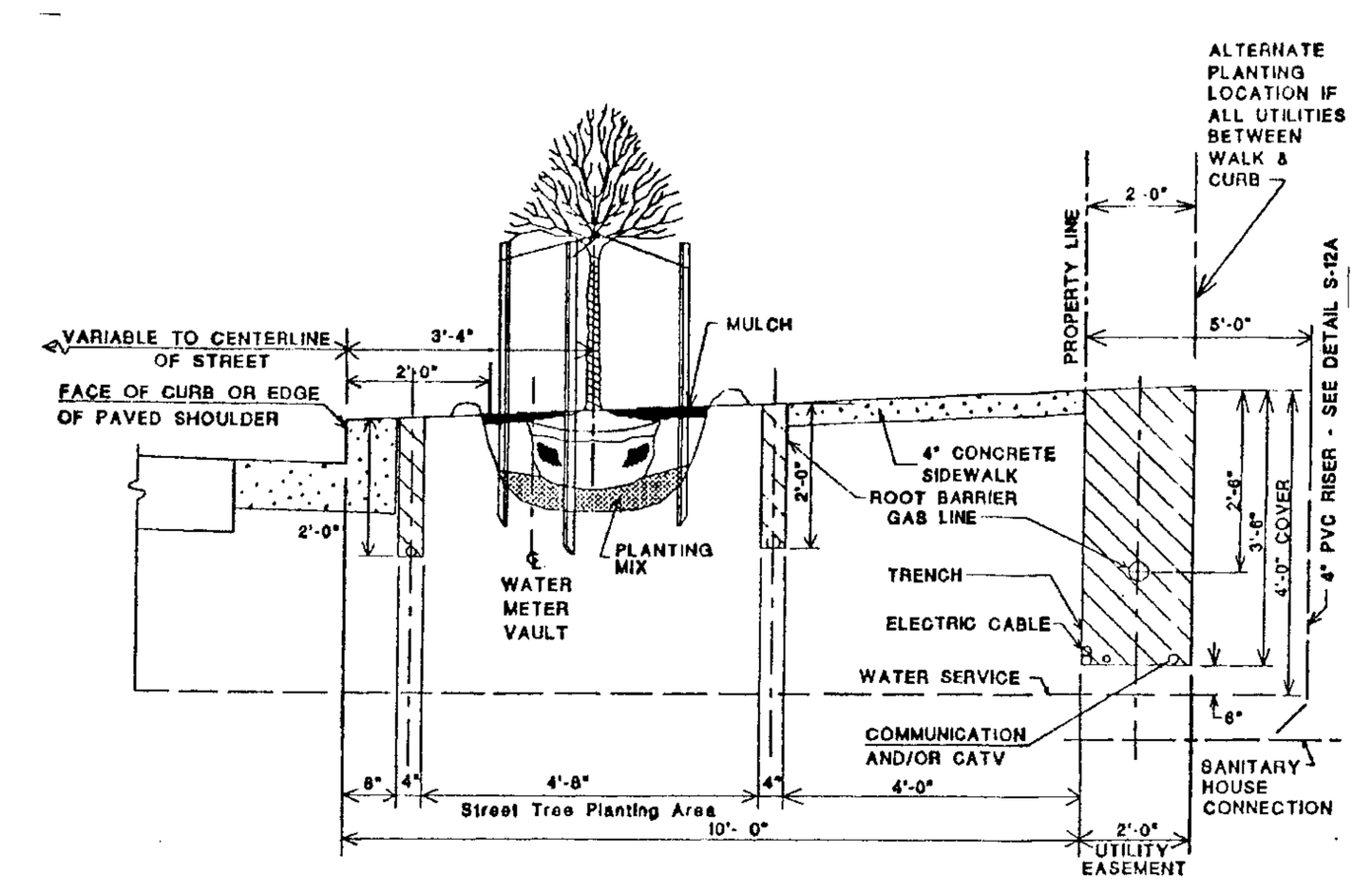
A surface sand filter, Filter #2, will treat the water quality volume associated with the storm drain system from Honeygo Boulevard. Any overflow from this facility will be released over a weir as sheet flow into the broad wetlands bordering the onsite stream. As these flows will be dispersed and of a relatively low volume (associated only with first flush water quality discharges), it is our opinion that there will be no significant adverse change in the rate, velocity or degree of concentration of the runoff from this facility as it exits the site after development.

A surface sand filter, Filter #1, will treat the water quality volume associated with the storm drain system within Forge Reserve. Any overflow from this facility will be released over a weir into the adjacent stormwater management pond. The stormwater management pond will manage runoff from Forge Reserve as well as from Honeygo Boulevard. Discharge from the pond will be piped to an outfall that will be directed into the broad floodplain and forest buffer area adjacent to the mainstem stream. A riprap velocity dissipater will be incorporated into the design to disperse the flows. With the provision of 1-year storm management and safe conveyance of the larger, less frequent storms, it is our opinion that there will be no significant adverse change in the rate, velocity or degree of concentration of the runoff from this facility as it exits the site after development.

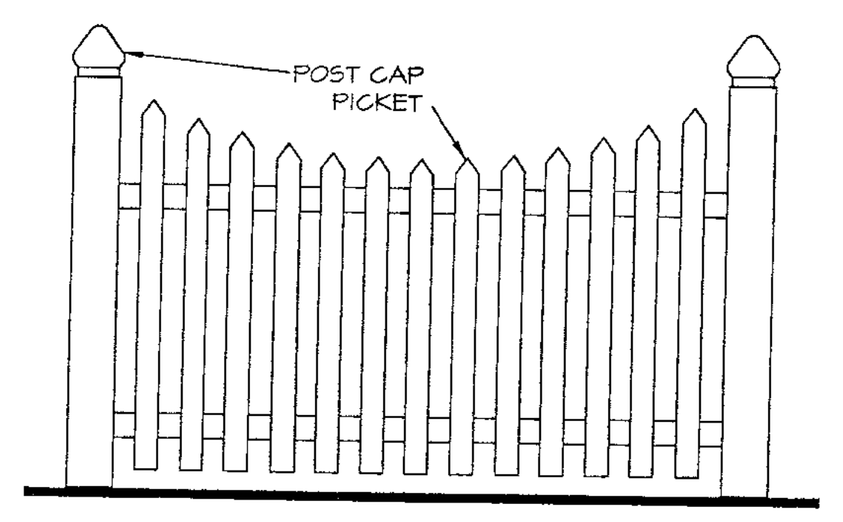
Therefore, we conclude that the outfalls are ©suitable^ based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

SOILS					
SYMBOL	NAME	HOMES W/ BASEMENT	HOMES w/o BASEMENT	STREETS & PARKING LOTS	AGRICULTURAL CAPABILITY
BtB	Beltsville silt loam, 0-3% slopes	Moderate	Slight	Moderate	IIe-3*
NeB2	Neshaminy silt loams, 3-8% slopes, moderately eroded	Slight	Slight	Moderate	IIe-4*
Em	Elkton loam	Severe	Severe	Severe	IIIw-9*
SsD3	Sassafras and Joppa, 5-15% slopes severely eroded	Moderate	Moderate	Severe	VIe-2
LIB	Lenoir loam, 0-5% slopes	Severe	Severe	Severe	IIIw-5*
SrC2	Sassafras sandy loam, 5-10% slopes, moderately eroded	Slight	Slight	Severe	IIIe-5*
LyB	Loamy and clayey land 0-5% slopes	Severe	Severe	Severe	IIIe-42*
CmB	Christiana loam, 2-5% slopes	Severe	Severe	Severe	IIe-42*

(*) DENOTES PRIME AND PRODUCTIVE SOILS

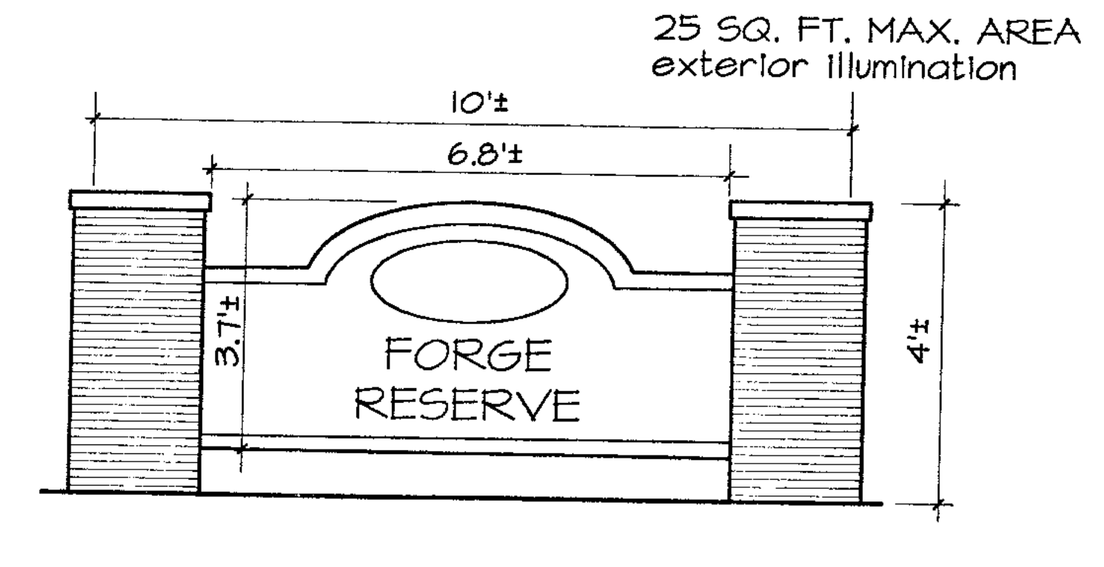


TYPICAL SIDEWALK/STREET TREE DETAIL (BALTO. CO. PLATE G-5A)
N.T.S.



PICKET FENCE DETAIL
N.T.S.

25 SQ. FT. MAX. AREA
exterior illumination



SCHEMATIC SIGN ELEVATION 'A'
N.T.S.

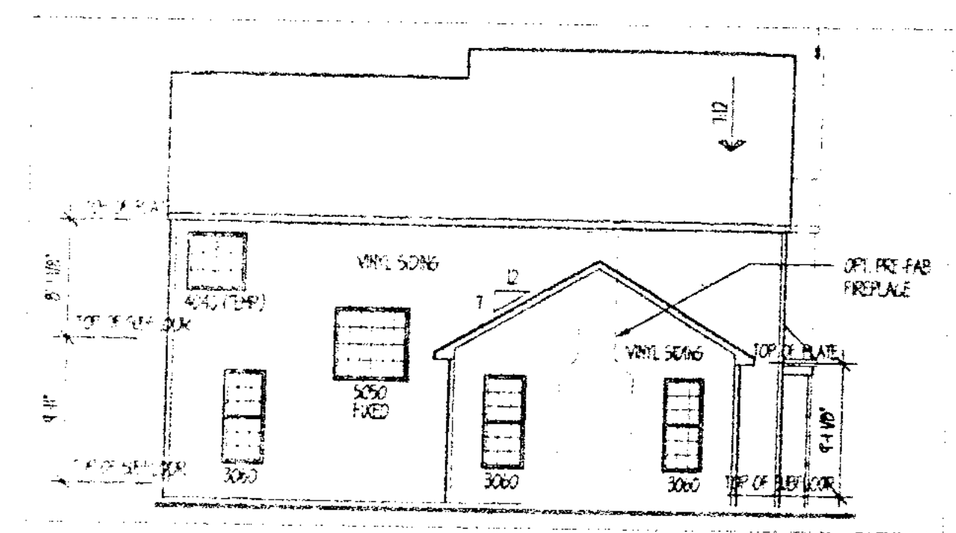
CERTIFICATE OF DELINQUENT ACCOUNTS

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

SPECIMEN TREE LIST

LABEL	SIZE	COMMON	SCIENTIFIC	CONDITION
ST-1	33"	Northern Red Oak	*Quercus rubra*	Good
ST-2	33"	White Oak	*Quercus alba*	Good
ST-3	38"	White Oak	*Quercus alba*	Poor
ST-4	33"	White Oak	*Quercus alba*	Good

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



TYPICALREAR ELEVATION
N.T.S.
(MUST COMPLY WITH SECTION 259.9.C.4 AND C.5 ; APPROVED MATERIALS ARE DEFINED AS BRICK AND STONE.)

APPLICABLE EXCERPTS FROM THE HONEYGO DEVELOPMENT STANDARDS:

259.9 Development standards for H and HI Overlay Districts. [Bill No. 176-1994]

These standards are intented to be additions to, modifications of and exceptions from the standards required by the underlying zoning classification on the land in the area. All conflicts are to be resolved in accordance with Subsection G of this section.

A. Uses. [Bill No. 73-1999]
1. Back-to-back group homes are not permitted.
2. Retail establishments exceeding 65,000 square feet are not permitted.
3. Accessory structures, including but not limited to solar panels, antennas, satellite dishes, trash pads and storage sheds are not permitted in the front yard of any principal use.

B. Bulk and area standards. [Bill Nos. 40-1997; 73-1999]
1. Except for nonresidential principal buildings or uses, and their accesory parking, the requirements of Section 1B01.1.B.1. (residential transition area) of these regulations do not apply.
3. Except for properties with approved developmement plans or CRG plans, the minimum width for any single-family detached lot is 85 feet as measured along both the front wall and rear wall of the dwelling unit.
4. Except as provided in this section, the provisions of Section 1B01.2.C apply to development in the overlay districts. In the districts, the minimum residential dwelling setbacks are:
a. Ten feet from the right-of-way of a collector street, neighborhood street, alley or court as defined in the Honeygo Overlay District design guidelines;
b. Forty feet from the right-of-way of a major or minor arterial or collector road, as defined in these regulations. (In this case, Joppa Road; except: see variance request V-3, for Lot 57 only);
c. Not applied to porches or stoops in front yards; and
d. Six feet from a side yard lot line that is not adjacent or the same as a public right-of-way if the dwelling unit is designed to have a side or rear entry garage. However, the sum of all side yard widths may not be less than 20 feet.
e. Except for properties with approved development plans or CRG plans, 50 feet from the rear property line except for:
(1) Unroofed additions, including patios and decks; and
(2) Roofed additions which do not exceed in width 50% of the dwelling unit, and which do not extend more than 10 feet into the rear yard setback area.

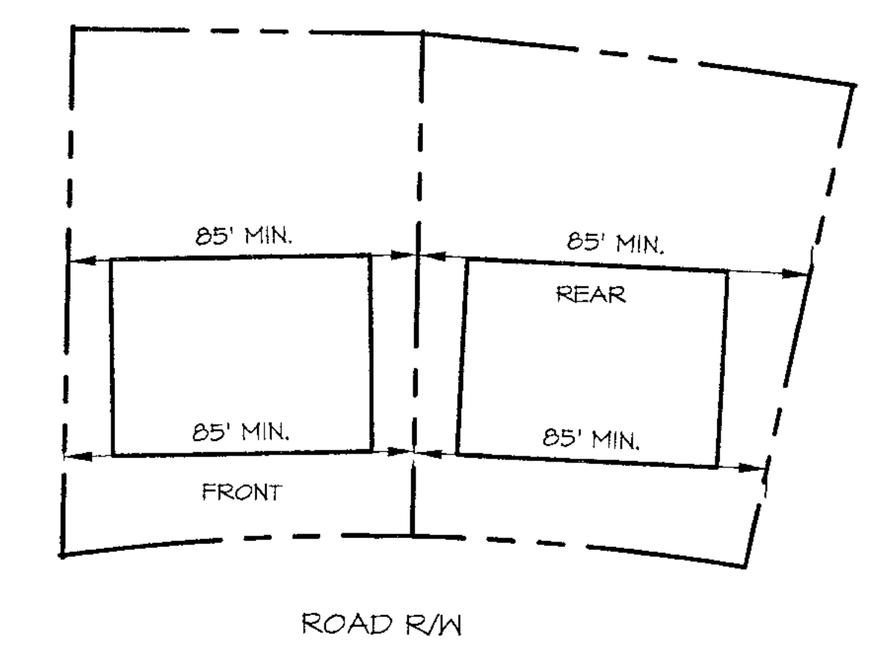
C. Building and site design standards.
1. Panhandle lots are not permitted unless:
a. The underlying zoning of the land is D.R.1;
b. No more than two lots share a driveway and
c. Lots exceed 30,000 square feet in area.
2. Reverse frontage lots are not permitted.
3. [Bill No. 73-1999]
a. Except for properties with approved development plans or CRG plans, which shall be allowed front entry garages in accordance with the regulations in effect prior to January 14, 1995, a front entry garage shall be recessed at least eight feet behind the front facade of the dwelling. A two-car garage facing the street shall have two individual doors separated by a divider. The front facade of all garages, including the divider and not including the garage doors, shall be constructed of the same approved materials as the front facade of the building. (Approved materials are brick and stone.)
b. The exterior surface of a side-entry garage, not including the garage doors, which faces the front of the dwelling shall be constructed of the same approved materials as the front facade of the building. (Approved materials are brick and stone.)
4. The exterior surface on the front facade of all residential dwellings, not including the garage doors, shall consist of at least 70% of approved materials. [Bill Nos. 40-1997; 73-1999]. (Approved materials are brick and stone.)
5. Building exteriors shall be of finished quality and similar architectural treatment, as defined in the Honeygo District Design Guidelines, to grade or, where that is not feasible, shall be finished to within 12 inches of grade on all sides of the building.
6. All fencing shall be in conformance with the Honeygo Overlay District Design Guidelines, and any fence more than three feet high shall also be setback at least five feet from any public right-of-way other than an alley.
7. Roofs shall be pitched in accordance with the Honeygo Overlay District Design Guidelines. (That is a minimum slope of 6:12 per p.8, "Building Design".)
8. Stormwater management pond slopes, where management is not provided through a regional facility, shall not exceed a ratio of 3:1.
9. Rooftop equipment shall be screened so it is not visible from the ground level of adjacent buildings.
10. All inside group townhouses shall be at least 20 feet wide and all end of group townhouses shall be at least 22 feet wide. [Bill No. 40-1997].

D. Signage standards. Signs are permitted, subject to Sectin 450. [Bill No. 89-1997]

E. Open space standards.
2. Stream buffers, wetlands and steep slopes contiguous to streams and regulated by the Department of Environmental Protection and Resource Management (DEPRM) for environmental purposes shall be dedicated to Baltimore County, recorded by the county government among the land records of Baltimore County, and not used to meet the local open space requirements of the underlying zones.
4. At least 25% of the perimeter of any open space must abut public rights-of-way or fronts of buildings, and such open space shall be landscaped.
5. The county may accept a fee in lieu of providing required open space when such fee is in conformance with these regulations. The fee shall be established annually by the Baltimore County Planning Board in accordance with the procedure set forth in Section 15-9 of the Baltimore County Code, 1988 Edition, as revised. [Bill No. 40-1997]
7. Forest conservation areas and wetlands not contiguous with streams shall not be used to meet the local open space requirements of the underlying zones.

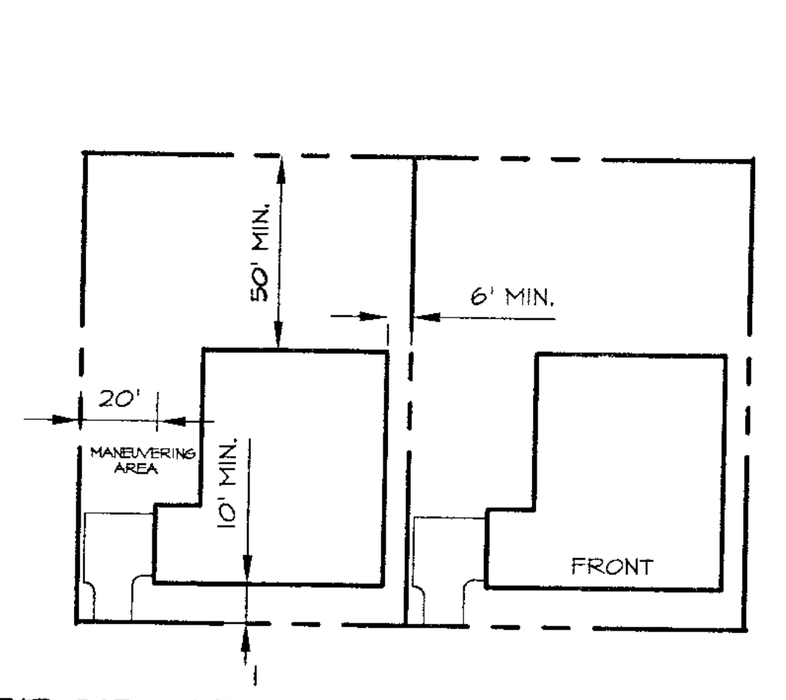
F. Parking standards
1. The provisions of Section 490.6 of these regulations apply except as provided in this subsection. [Bill No. 73-1999]
2. The provisions of Section 102.4 of these regulations do not apply and any lot may have sole access to an alley with a right-of-way of at leat 16 feet.
3. Off-street parking bays are not permitted.
4. A cul-de-sac or court shall not exceed 400 feet in length unless, as determinded by the Director of Environmental Protection and Resource Management, a longer length is needed to prevent encroachment on protected areas.
5. All streets shall have sidewalks and shall be planted with trees according to the standards for the street classification, as defined by the Honeygo Overlay District Design Guidelines.

G. Application.
1. The provisions of this section shall govern in any situation where there is a conflict between this section and other regulations.
2. Where the provisions of this section are silent, the provisions of these regulations governing the underlying zone shall apply.
3. In addition to the requirements of this section, residential and commercial development in the area shall be subject to the Honeygo Overlay Districts Design Guidelines. [Bill No. 40-1997]

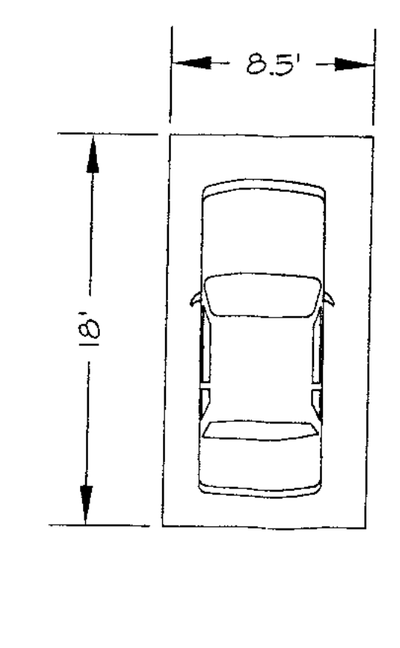


TYPICAL BUILDING ENVELOPE PER SECTION 259.9.B.3 N.T.S.

NOTE THAT REGARDLESS OF THE ENVELOPE SHOWN ON THE PLAN (IN ACCORDANCE WITH THE HONEYGO SETBACK REQUIREMENTS), THE FINAL LOCATION OF ALL HOUSES MUST MEET THE MINIMUM LOT WIDTH REQUIREMENTS IN SECTION 259.9.B.3 BY MEASURING IN ACCORDANCE WITH THE DIAGRAM ABOVE. FINAL HOUSE ORIENTATIONS AND LOCATIONS WITHIN THE LOTS MAY VARY AS LONG AS ALL SETBACKS AND LOT WIDTH REQUIREMENTS ARE MET.



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

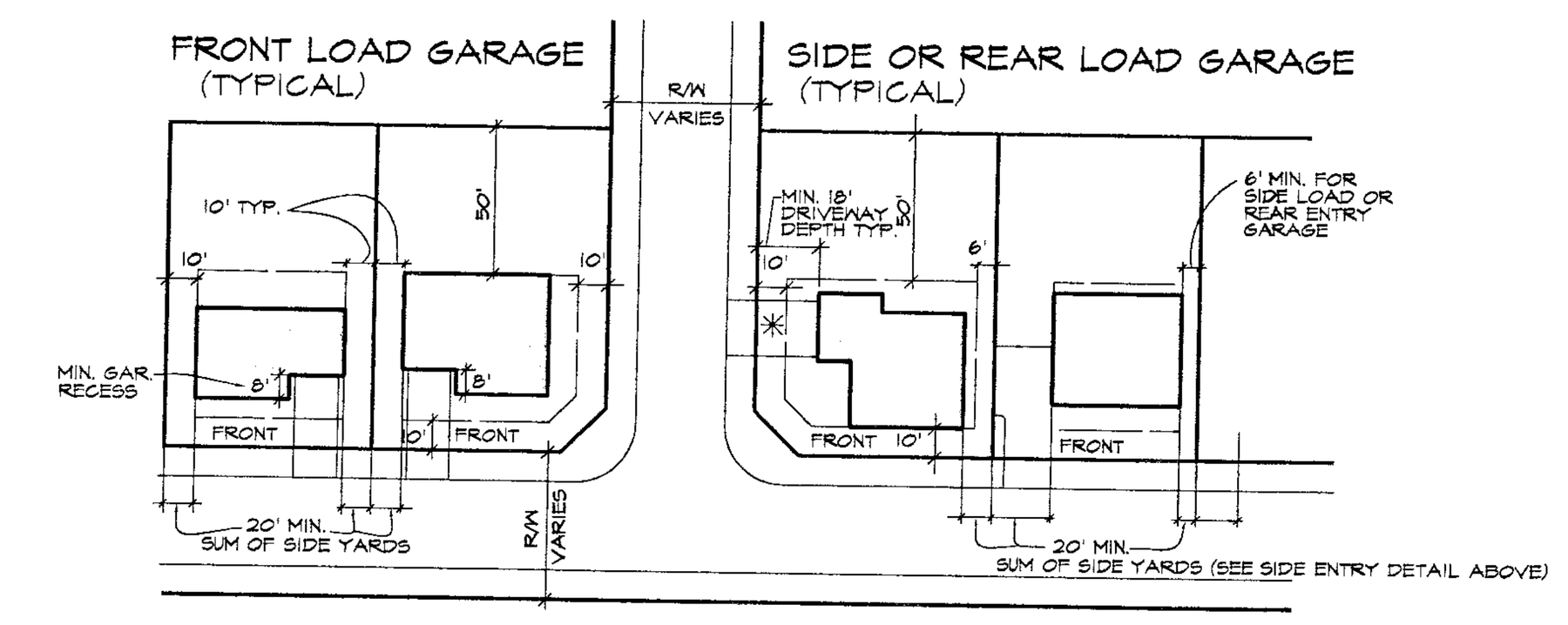


NOTE:
ALL PARKING AND MANEUVERING AREAS (MACADAM OR CONCRETE) WILL BE PAVED BY THE BUILDER AT THE TIME OF HOUSE CONSTRUCTION AND WILL BE MAINTAINED BY THE ULTIMATE HOMEOWNER.

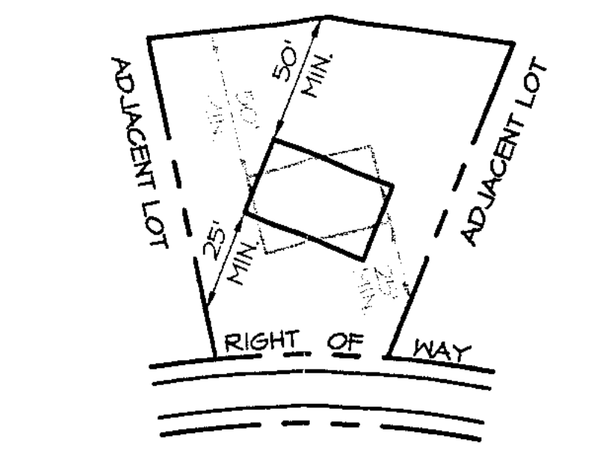
TYPICAL PARKING SPACE DETAIL
N.T.S.
NOTE:
ALL DRIVEWAYS WILL COMPLY WITH SECTION 409.4 (B.C.Z.R.)
PARKING IS ALSO SUBJECT TO COMPLIANCE WITH SECTION 259.9F BCZR.

FRONT LOAD GARAGE (TYPICAL)

SIDE OR REAR LOAD GARAGE (TYPICAL)

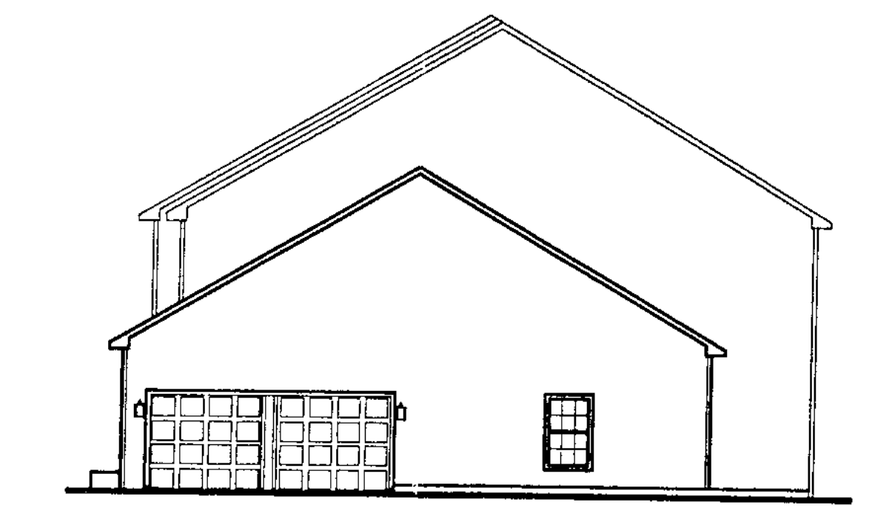


TYPICAL LOT LAYOUT N.T.S.
NOTE: Per Section 409 : 18' minimum is required for offstreet parking in front of a garage. Minimum 18 driveway depth from the front property line or edge ofsidewalk to allow for sufficient parking space dimensions (8.5' x 18' for one car or 17' x 18' for two cars) per Section 409, BCZR.



FRONT & REAR BUILDING FACE TO PROPERTY LINE SETBACK
N.T.S.

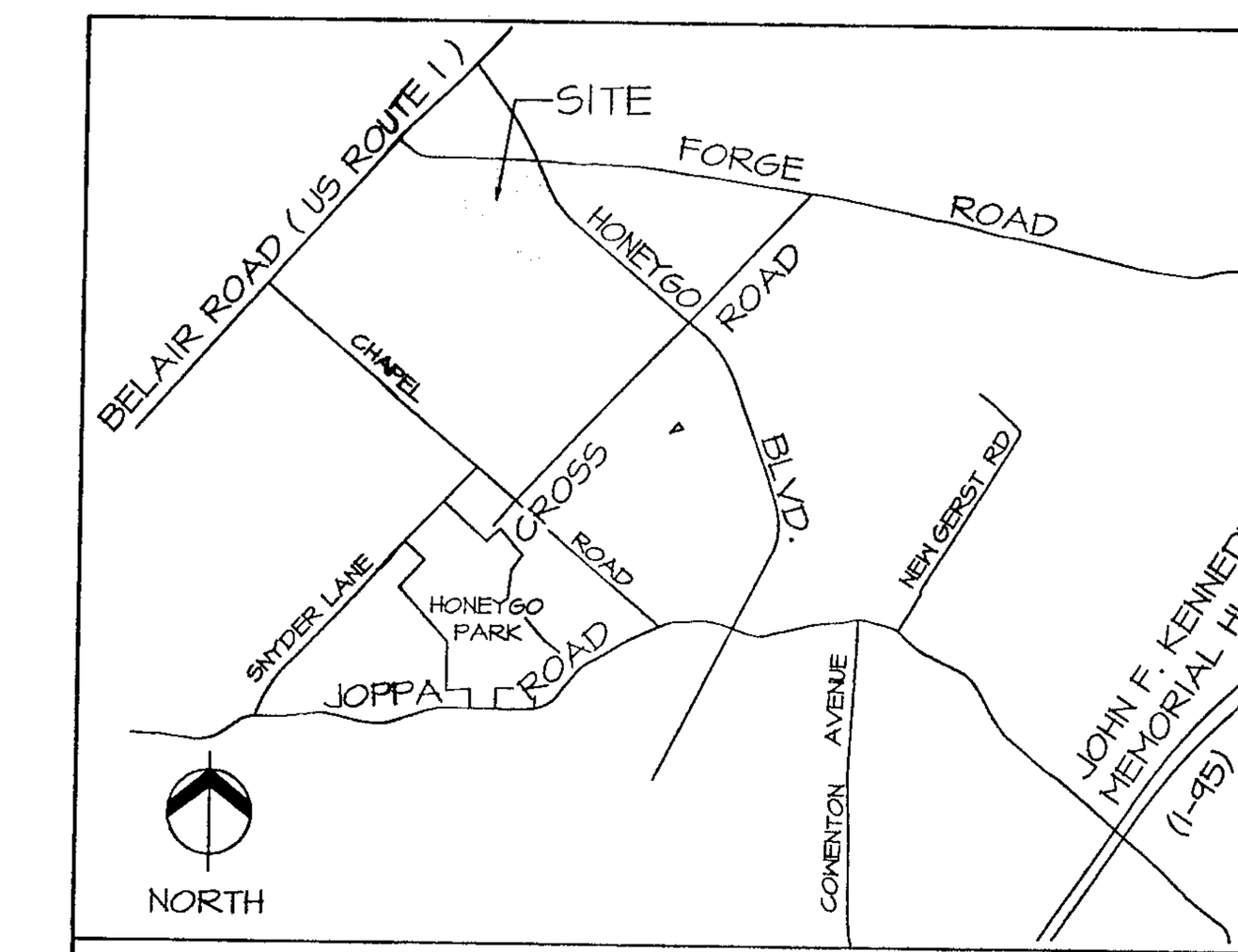
PER SECTION 1B01.2.C.1.b. A 25' SETBACK IS REQUIRED FROM A FRONT BUILDING FACE TO A PROPERTY LINE OR A STREET RIGHT-OF-WAY LINE*. A 50' SETBACK IS REQUIRED FROM A REAR BUILDING FACE TO A PROPERTY LINE.
"Envelopes or typical dwellings as shown dictate a specific location and orientation which is intended to allow compliance with the Baltimore County Zoning Regulations, the CMDP, and zoning policies. Should the final location and orientation of the proposed dwellings create conflicts with the regulations or policies, the location and orientation must be changed to alleviate the conflict."



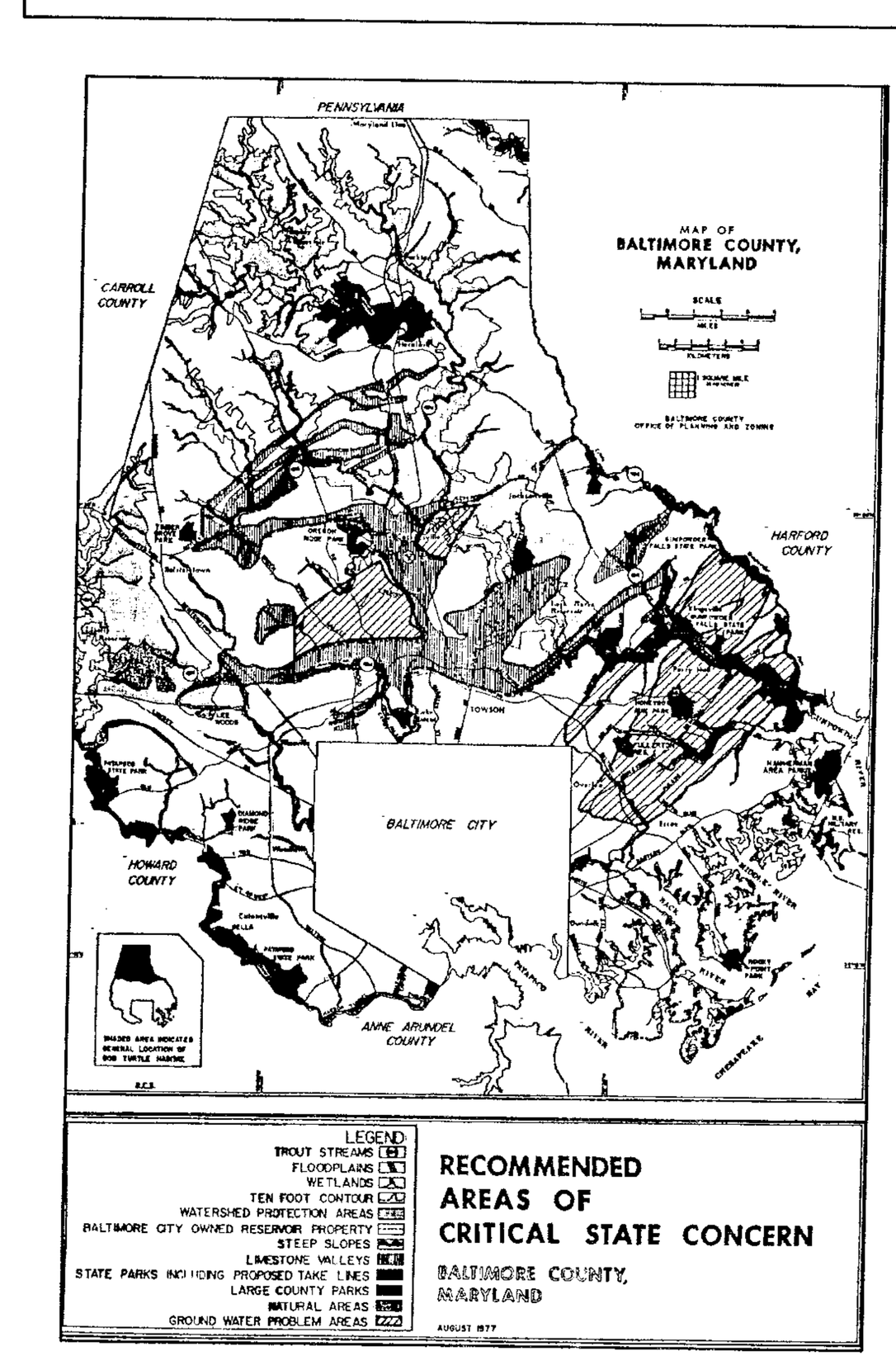
TYPICAL SIDE ELEVATION W/SIDE LOAD GARAGE N.T.S.
(MUST COMPLY WITH SECTION 259.9.C.3, a & b)
(DIVIDER REQUIRED WHEN DOORS FACE THE STREET)
(THE DIVIDER SHALL BE CONSTRUCTED OF THE REQUIRED APPROVED MATERIALS, i.e. BRICK OR STONE.)

NOTE: NO BUILDING PERMITS WILL BE ISSUED WITHOUT ALLOCATION LETTERS.

NOTE: "POTENTIAL HOMEBUYERS SHOULD BE AWARE THAT BALTIMORE COUNTY RECREATION AND PARKS OWNS PROPERTY TO THE EAST SIDE OF THIS SITE, WHICH WILL BE DEVELOPED AS ACTIVE RECREATIONAL FACILITIES INCLUDING LIGHTED FIELDS. COPIES OF THE HONEYGO PARK PLANS ARE AVAILABLE AT THE BALTIMORE COUNTY RECREATION AND PARKS OFFICE 301 WASHINGTON AVENUE, TOWSON, MARYLAND 21204."



VICINITY MAP SCALE: 1"=1000'



RESIDENTIAL BUILDING SETBACK-D.R. ZONES HONEYGO OVERLAY DISTRICT AND SECTION 1B01.2.c.b.: OTHER RESIDENTIAL SETBACKS

	D.R.-3.5 H
From building face (front, side or rear) to: Right-of-way of a collector street, neighborhood street, alley or court. (not applied to porches or stoops in front yard)	10'
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'
From front building face to: Property line (not a street line)	25'
From building face (front, side or rear) to: Rear property line (not a street line) (Except for unroofed additions, including patios and decks; and roofed additions which do not exceed in width 50% of the dwelling unit, and which do not extend more than 10 feet into the rear-yard setback area)	50' (37.5' for unroofed additions; 40' for roofed additions)
From building face (front, side or rear) 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 yard widths may not be less than 20')
From side building face to: side building face	16' separation < 20' high bldg. 20' separation > 20' high bldg.
From side building face to: paving of a private road	25'
From side building face to: tract boundary	15'
Front entry garage shall be recessed behind the front facade of the dwelling unit has a side or rear entry garage.	8' min.
Minimum Width for Single Family Detached lot measured along both the front wall & rear wall of the dwelling:	85'
This table lists minimum setback requirements for urban residential use. For a fuller explanation of these and other requirements, consult the Comprehensive Manual of Development Policies (CMDP) and Bill 73-99 & 40-97.	

Envelopes or typical house locations on single family lots dictate a specific orientation which allows compliance with the BCZR and should the orientation change, the setbacks required by Section 259.9 must be met (DR Zones)

NOTE: "THE PROPOSED DWELLINGS AND DEVELOPMENT ARE LOCATED WITHIN THE HONEYGO OVERLAY DISTRICT H AND ARE LOCATED WITHIN THE HONEYGO RUN SUBAREA. THE DWELLINGS AND DEVELOPMENT ARE SUBJECT TO (AND MUST BE CONSISTENT WITH) THE APPLICABLE HONEYGO DEVELOPMENT STANDARDS, THE HONEYGO OVERLAY DISTRICT DESIGN GUIDELINES MANUAL, THE RESIDENTIAL PREFORMANCE STANDARDS, THE CMDP, THE COUNTY LANDSCAPE MANUAL, AS WELL AS OTHER BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES, PURSUANT TO SECTION 259, 259.9G, 259.9.G.3, 260, 409 AND SECTION 504, BZCR. THE PROPOSED DWELLINGS AND DEVELOPMENT WILL COMPLY WITH ALL OF THE AFOREMENTIONED STANDARDS AND GUIDELINES."

HEARING OFFICERS HEARING AND ZONING HEARING TO BE COMBINED

PROJECT NAME: **FORGE RESERVE**

PLAN TITLE: DEVELOPMENT PLAN, SCHEMATIC LANDSCAPE PLAN AND PLAT TO ACCOMPANY ZONING PETITION

COUNCILMANIC DIST.: 5
ELECTION DIST.: 11
REGIONAL PLANNING DISTRICT: 317
PROJECT MANAGER:
PDM #: XI-955
CIM: 1.05.04
APPROVAL:

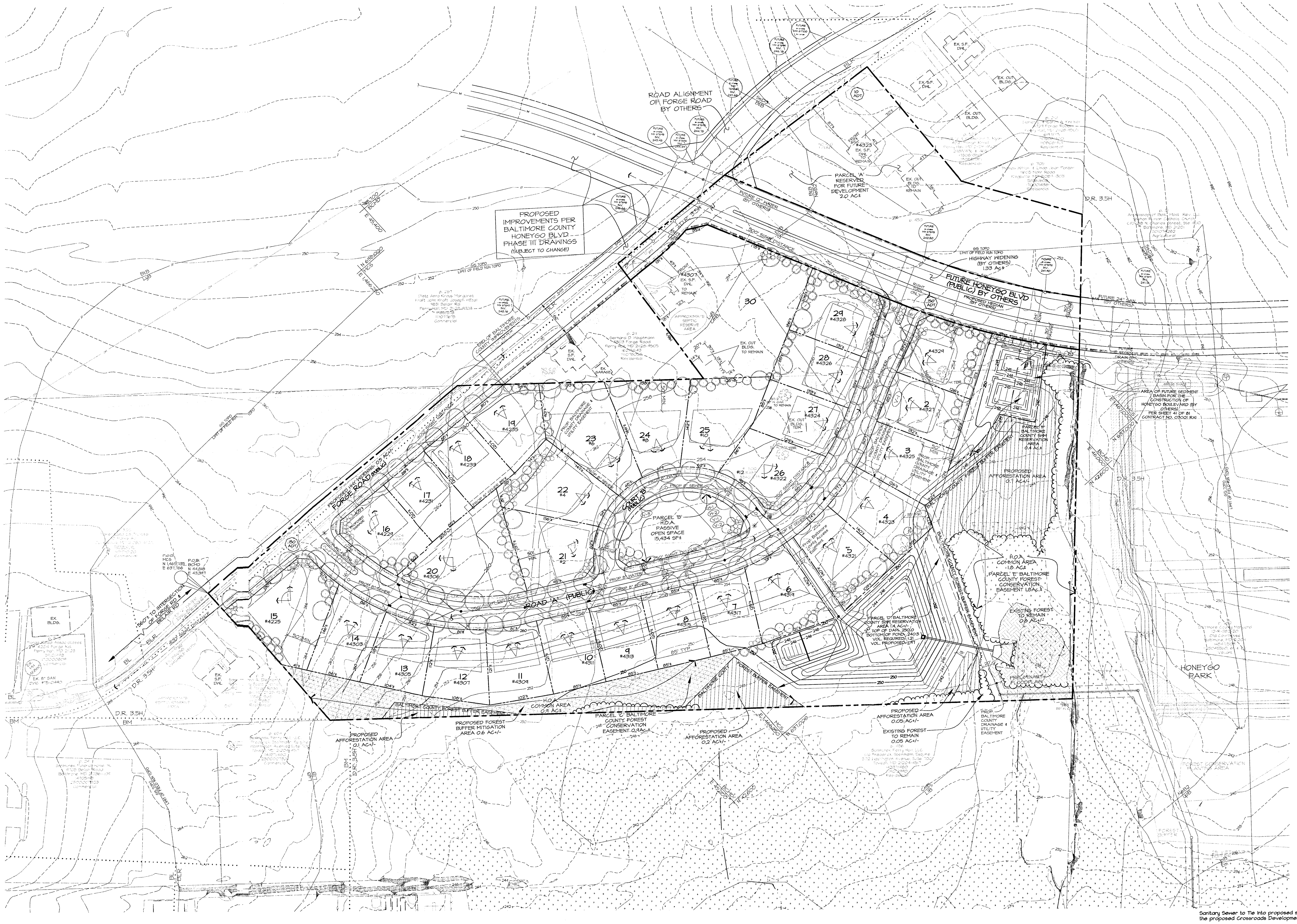
DEVELOPER:
NUTTAL AVE, LLC
603 ST. FRANCIS RD.
TOWSON, MD. 21286
410.792.2926

DST&A D. S. THALER & ASSOC., INC.
CIVIL ENGINEERS
LANDSCAPE ARCHITECTS
SURVEYORS
LAND PLANNERS
7115 AMBASSADOR ROAD

DATE: 06-18-04
SCALE: 1"= 50'
C.I.: 2'
PROJ. NO.: 02684

FORGE RESERVE

DEVELOPMENT PLAN, SCHEMATIC LANDSCAPE PLAN AND PLAT TO ACCOMPANY ZONING PETITION



OPEN SPACE WAIVER REQUEST

To allow a fee in lieu to be paid in lieu of the required active open space.

PUBLIC WORKS WAIVER REQUEST

(W-1) To allow a 24' paving section on a 40' right-of-way in lieu of the required 30 foot paving section on a 50 foot right-of-way for approximately 350 LF± of Court 'B'.

(W-2) To waive the requirements of a sidewalk along a portion of the south side of Court 'B', approximately 350 LF±

REQUESTS FOR VARIANCE:

(V-1) Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 29 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies ("CMDP"), variance to allow for concrete mountable curbs in lieu of the requirement for standard vertical concrete curbs.

(V-2) Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 29 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies ("CMDP"), variance to allow for sidewalk on only one side of a public street in lieu of the requirement for sidewalk on both sides of a public street.

(V-3) Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 29 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies ("CMDP"), variance to allow 500 linear feet of 24' pavement width on a 40' right-of-way in lieu of requirement for 30' pavement on a 50' right-of-way.

NOTE: "THE PROPOSED DWELLINGS AND DEVELOPMENT ARE LOCATED WITHIN THE HONEYGO OVERLAY DISTRICT H AND ARE LOCATED WITHIN THE HONEYGO RUN SUBAREA. THE DWELLINGS AND DEVELOPMENT ARE SUBJECT TO (AND MUST BE CONSISTENT WITH) THE APPLICABLE HONEYGO DEVELOPMENT STANDARDS, THE HONEYGO OVERLAY DISTRICT DESIGN GUIDELINES MANUAL, THE RESIDENTIAL PREFORMANCE STANDARDS, THE CMDP, THE COUNTY LANDSCAPE MANUAL, AS WELL AS OTHER BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES, PURSUANT TO SECTION 259, 259.9G, 259.9.G.3, 260, 409 AND SECTION 504, BZCR. THE PROPOSED DWELLINGS AND DEVELOPMENT WILL COMPLY WITH ALL OF THE AFOREMENTIONED STANDARDS AND GUIDELINES."

HEARING OFFICERS HEARING AND ZONING HEARINGS TO BE COMBINED

NOTE: NO BUILDING PERMITS WILL BE ISSUED WITHOUT ALLOCATION LETTERS.

NOTE: "POTENTIAL HOMEBUYERS SHOULD BE AWARE THAT BALTIMORE COUNTY RECREATION AND PARKS OWNS PROPERTY TO THE EAST SIDE OF THIS SITE, WHICH WILL BE DEVELOPED AS ACTIVE RECREATIONAL FACILITIES INCLUDING LIGHTED FIELDS. COPIES OF THE HONEYGO PARK PLANS ARE AVAILABLE AT THE BALTIMORE COUNTY RECREATION AND PARKS OFFICE 301 WASHINGTON AVENUE, TOWSON, MARYLAND 21204."

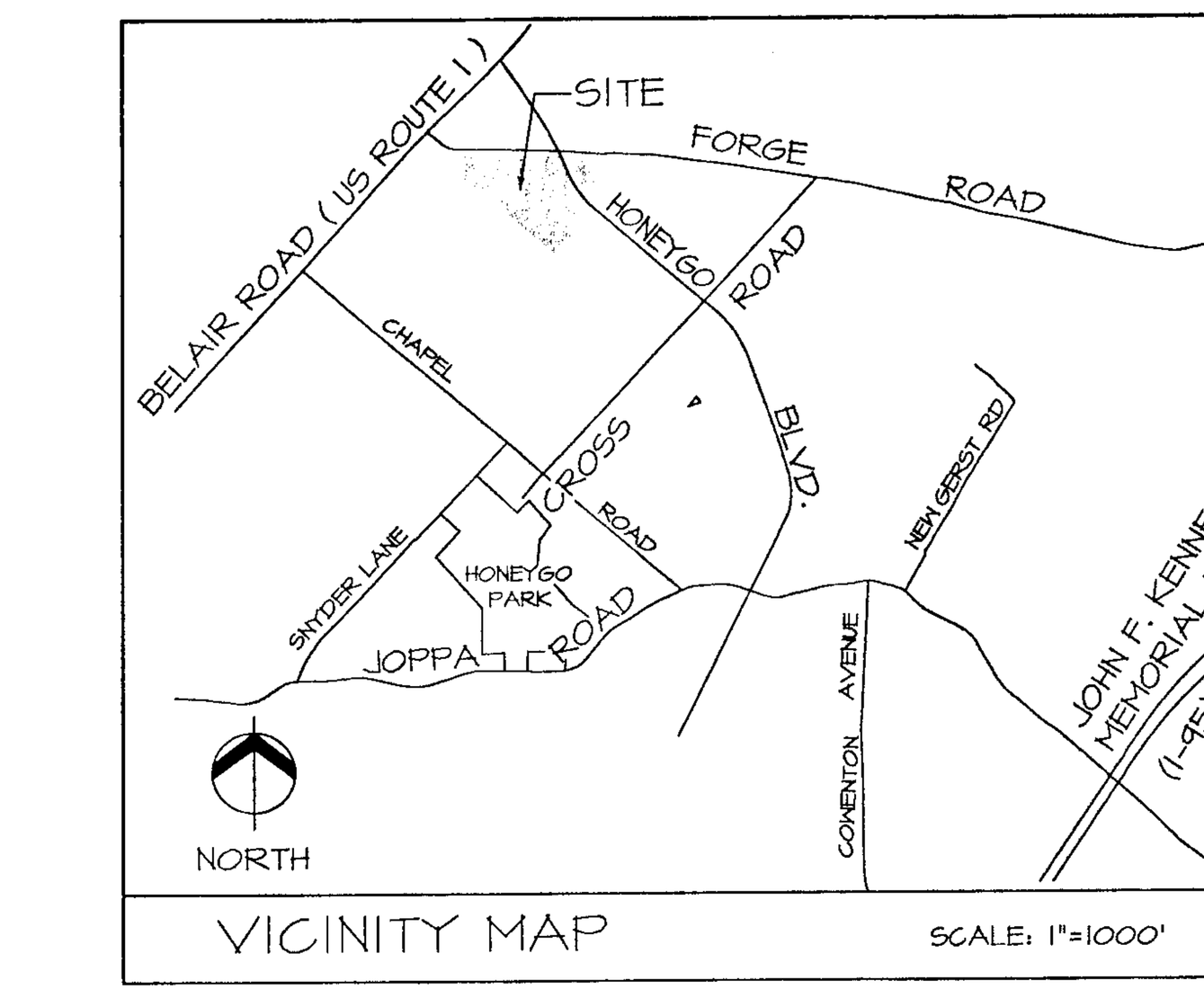
LEGEND

EXISTING: UTILITY POLE, EASEMENT, CONTOUR, WATER, APPROXIMATE FLOOD PLAIN, WETLANDS, ZONING, WATER VALVE, TRACT BOUNDARY, SOILS, TREES, ROAD, SANITARY SEWER, STORM DRAIN, FIRE HYDRANT, LIGHT, 25% SLOPES

PROPOSED: AFFORESTATION, ADT, MAJOR DECIDUOUS TREE, SHRUBS, EVERGREEN TREE, MINOR DECIDUOUS TREE

NORTH MCS

SCALE: 1"=50'



VICINITY MAP SCALE: 1"=1000'

DEVELOPMENT PLAN, SCHEMATIC LANDSCAPE PLAN AND PLAT TO ACCOMPANY ZONING PETITION

FORGE RESERVE

PROJECT NAME: FORGE RESERVE

PLAN TITLE: DEVELOPMENT PLAN, SCHEMATIC LANDSCAPE PLAN AND PLAT TO ACCOMPANY ZONING PETITION

COUNCILMANIC DIST.: 5
ELECTION DIST.: 11
REGIONAL PLANNING DISTRICT: 317
PROJECT MANAGER:
PDM #: XI-455
CIM: 1.05.04
APPROVAL:

DEVELOPER:
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D. S. THALER & ASSOC., INC.
CIVIL ENGINEERS
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SURVEYORS
LAND PLANNERS
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
(410) 444-ENGR, (410) 444-3647

DATE: 06-18-04
SCALE: 1"= 50'
C.I.: 2'
PROJ. NO.: 02684
SHEET 1 OF 2

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: #05-047-A
4307 Forge Road
N/side of Forge Road, 560 feet n/east of centerline of Belair Road
11th Election District - 5th Councilmanic District
Legal Owner(s): Nuttal Ave, LLC, Douglas F. Eshelman, Robert & Mary Kraft, Joseph & Doris Kraft, Anna Dietz & Robert Kile

Variance: to allow for concrete mountable curbs in lieu of the requirement for standard vertical concrete curbs, to allow for a sidewalk on only one side of a public street in lieu of the requirement for sidewalk on both sides of a public street, and to allow 500 linear feet of 24' pavement width on a 40' right-of-way in lieu of the requirement for 30' pavement on a 50' right-of-way..

Hearing: Thursday, October 7, 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 9/729 Sept. 21 22448

CERTIFICATE OF PUBLICATION

9/23/, 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 9/21/,2004.

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

S. Williamson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 39339

DATE 7/26/04 ACCOUNT 1001-006-6150

AMOUNT $ 800.00

RECEIVED FROM: Wh. le Saul Taylor & Hinkle, LLP

FOR: Variances

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item # 047

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
7/26/2004	7/26/2004	09:52:19	5

REG 00005 WALKIN MIEL MMH
>>RECEIPT # 362914 7/26/2004 OFLH
Dept 5 520 ZONING VERIFICATION
CR NO. 039339
Recpt Tot $800.00
$800.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION