IN RE: **DEVELOPMENT PLAN HEARING & PETITIONS FOR SPECIAL HEARING -** N/End Bluestone Road, S of Greenhouse Lane, E of Chapman Road & N of Redstone Road **(Fischer Property – Bluestone Road)** 11th Election District – 3rd Council District	* BEFORE THE
	* ZONING COMMISSIONER
	* OF BALTIMORE COUNTY
	* **Cases Nos. XI-956, 05-314-SPH, 05-315-SPH**
Henry J. Fischer, et al, Owners; Kingsmill, LLC, Developer	*

AMENDED DEVELOPMENT PLAN ORDER

WHEREAS, this matter came before this Hearing Officer/Zoning Commissioner for a combined public hearing, pursuant to Section 32-4-230 of the Baltimore County Code (BCC). The Owners/Developers sought approval of a four-page, redlined development plan for the proposed residential development of the subject property with 14 single-family detached dwelling units, one of which is existing. In addition, Petitions for Special Hearing were filed in companion cases Nos. 05-314-SPH and 05-315-SPH, requesting amendments to previously approved Final Development Plans (FDPs) for the "Lands of Mr. Henry Fischer" and "Jerusalem Mills," as more particularly described within the respective Petitions.

By Opinion and Order dated May 27, 2005, the undersigned Zoning Commissioner approved the development plan and the Petitions for Special Hearing, contingent upon the Petitioners closing the proposed roadway extension of Bluestone Road. In the event the roadway could not be closed, the approval allowed the development plan and the FDPs to be revised accordingly.

Subsequent to the issuance of said Order, a timely Motion for Reconsideration was filed by Counsel for the Owners/Developers, citing an omission of two of the requested amendments with respect to the FDP for Jerusalem Mills in Case No. 05-315-SPH. One item requested an amendment to allow "labeling the roadway extension as part of the HOA Common Area and Private Ingress and Egress Easement of the Property" and the second item, an amendment "including the remainder of Parcel A within the boundaries of the adjoining proposed Lot 1 of the Property." So that the Development Plan, the amended FDP for the Lands of Mr. Henry Fischer, and the amended FDP for Jerusalem Mills are consistent with one another, the

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Owner/Developer requests an amendment of the Development Plan Order to include those two items as set forth above.

In addition, this Zoning Commissioner's approval did not specifically state that those parts of the development plan and amendments that do not relate to the proposed extension of Bluestone Road extension are approved, regardless of the outcome of the road closing proceedings. Thus, the Owners/Developers request that the Order be amended to specifically provide such approval, regardless of the outcome of the road closing proceedings. It is further requested that the Order be amended to reflect that if the proposed extension of Bluestone Road is not closed, then the development plan as submitted is approved, with the condition that the extended portion of Bluestone Road shall be designated as a public road. Finally, if the proposed road extension is not approved to be a private road, then the Owners/Developers seek approval of certain amendments as set forth below to the respective FDPs for the Lands of Mr. Henry Fischer and Jerusalem Mills.

In addition to the above amendments, the Owners/Developers request that the language in the Order regarding the storm water management facilities be clarified to reflect that the water flows to either the first or second facility. The first facility is west of the access road prior to the point where the proposed road crosses the stream. Storm water is funneled through gutters, inlets, and storm drains to this facility where water quality management is performed using a sand filter. Channel protection volume management is then performed and the water is finally released over a 12-hour period. The second facility is an existing pond that will function in a similar manner to the first facility, but has also been designed to manage the required 2-, 10-, and 100-year storms.

Upon due consideration of the relief requested within the Motion, I find that the Order issued on May 27, 2005 should be amended to incorporate the additional approvals and clarifying language as set forth above.

THEREFORE, IT IS ORDERED by the Zoning Commissioner/Hearing Officer for Baltimore County this 29th day of June 2005 that the Hearing Officer's Opinion and Development Plan Order issued on May 27, 2005 granting approval of the four-page redlined

development plan for the Fisher Property, submitted into evidence and marked as Developer's Exhibits 7A through 7D, be and the same is hereby **AMENDED to add the following additional approvals and amendments, contingent upon the Developer obtaining approval of its petition to close the road in Case No. RC2005-002;**

IT IS FURTHER ORDERED that the Petition for Special Hearing filed in Case No. 05-314-SPH, pursuant to Section 1B01.3.A.7.b of the B.C.Z.R., seeking approval of amendments to the Final Development Plan for the Lands of Mr. Henry Fischer, in accordance with the plan marked into evidence as Petitioner's Exhibit 2, be and is hereby GRANTED to include the following:

1) Adding a private roadway extension and associated storm drain utilities within the area labeled as "Highway R/W for Future Road" which runs through Parcel A and serves as an access road to the property;
2) Labeling the roadway area and associated right-of-way as part of the HOA Common Area and Private Ingress and Egress Easement of the Property;
3) Including the remainder of Parcel A within the boundaries of the adjoining proposed Lot 1 of the Property;
4) Adding a storm water management device to comply with current regulations, which will control runoff from the impervious surface of the new road;
5) Adding a development sign;
6) Adding a 100-year floodplain, drainage and utility easement and forest conservation easement;
7) Revising the location of wetlands and a forest buffer; and,
8) Adding standard notes prohibiting the disturbance of the Forest Buffer Easements and Forest Conservation Easements without express permission from DEPRM.

IT IS FURTHER ORDERED that the Petition for Special Hearing filed in Case No. 05-315-SPH, pursuant to Section 1B01.3.A.7.b of the B.C.Z.R., seeking approval of amendments

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to the Final Development Plan for "Jerusalem Mills," in accordance with Petitioner's Exhibits 2A through 2C, be and is hereby GRANTED to including the following:

1) Identifying the change in ownership of Parcel A;
2) Adding a private roadway extension that runs through Parcel A, which serves as an access road to the property;
3) Labeling the roadway extension as part of the HOA Common Area and Private Ingress and Egress Easement of the Property;
4) Including the remainder of Parcel A within the boundaries of the adjoining proposed Lot 1 of the Property;
5) Adding a 100-year floodplain, drainage and utility easement and forest conservation easement to be within a portion of Parcel A;
6) Adding wetlands and a forest buffer to Parcel A; and,
7) Adding standard notes prohibiting the disturbance of the Forest Buffer Easements and Forest Conservation Easements without express permission from DEPRM.

IT IS FURTHER ORDERED that those parts of the development plan and the FDPs for the Lands of Mr. Henry Fischer and Jerusalem Mills which do not relate to the proposed road extension, be and are hereby APPROVED, regardless of the outcome of the road closing proceeding. If the road is not closed and it shall be a public road, Petitioners will submit a revised Development Plan and revised FDPs to reflect a public road extension.

IT IS FURTHER ORDERED but for the amendments/changes set forth above, all other terms and conditions of the Order issued May 27, 2005 shall remain in full force and effect.

Any appeal of this decision must be taken in accordance with Articles 32-4-229(B) and 32-4-281 of the Baltimore County Code.

WILLIAM J. WISEMAN, III
Zoning Commissioner/Hearing Officer
for Baltimore County

WJW:bjs

Zoning Commissioner

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Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

June 28, 2005

Jeffrey H. Scherr, Esquire
Mindy Caplan, Esquire
One South Street, 26th Floor
Baltimore, Maryland 21202

RE: **Amended** Development Plan Hearing & Petitions for Special Hearing
(Fischer Property)
Cases Nos. XI-956 & 05-314-SPH & 05-315-SPH

Dear Counsel:

Enclosed please find a copy of the Amended Order issued in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. & Mrs. Henry J. Fischer, 8215 Greenhouse Lane, Kingsville, Md. 21087
Mr. Jeffrey Deegan, 2309 Belair Road, Suite A, Fallston, Md. 21047
J. Carroll Holzer, Esquire, 508 Fairmount Avenue, Towson, Md. 21286
Mr. Rob Loskot, Office of Law; Mr. Walt Smith, DPDM; DEPRM; OP; DPW; R&P; People's Counsel; Case File

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IN RE: **DEVELOPMENT PLAN HEARING & PETITIONS FOR SPECIAL HEARING**
N/End Bluestone Road, S of Greenhouse Lane, E of Chapman Rd. & N of Redstone Rd.
(Fischer Property – Bluestone Road)
11th Election District – 3rd Council District

Henry J. Fischer, et al, Owners;
Kingsmill, LLC, Developer

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* **Cases Nos. XI-956, 05-314-SPH, 05-315-SPH**
*

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Zoning Commissioner for a combined public hearing, pursuant to Section 32-4-230 of the Baltimore County Code (BCC). That Section permits an applicant to request development plan approval and zoning relief through a single public hearing. Pursuant to the development review regulations codified in Article 32, Title 4 thereof, the Owners/Developers seek approval of a four-page, redlined development plan, prepared by Wilson Deegan & Associates, Inc., for the proposed residential development of the subject property with 14 single-family detached dwelling units, one of which is existing. In addition to development plan approval, the Owners/Developers filed two Petitions for Special Hearing seeking certain zoning relief, pursuant to Sections 500.7 and 1B01.3(A)(7)(b) of the Baltimore County Zoning Regulations (B.C.Z.R.). Specifically, in Case No. 05-314-SPH, the Owners/Developers seek approval of amendments to the Final Development Plan (FDP) for the "Lands of Mr. Henry Fischer" as follows: 1) to reflect a private roadway extension within a portion of the remaining lands, known as Parcel "A" and labeled as "Highway R/W for Future Road" to facilitate a more perpendicular crossing of an existing stream, which road will access the proposed Fischer Property development; to show the roadway area and associated R/W as part of the "HOA Common Area and Private Ingress and Egress Easement" of the Fischer Property; and, to show the remainder of Parcel "A" to be located within the boundaries of the adjoining proposed Lot 1 of the Fischer Property; 2) to add a storm water management device to treat and control the newly proposed impervious surfaces; 3) to amend the forest buffer so that it will be 25 feet from the 100-year floodplain and to relocate a portion of the forest buffer and wetlands; 4) to add a 100-year floodplain, drainage and utility easement and forest conservation

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easement, as required by the Department of Environmental Protection and Resource Management (DEPRM); and, 5) to add a sign at the entrance of the Fischer Property Development. Similar relief is requested under Case No. 05-315-SPH for approval of amendments to the Final Development Plan for "Jerusalem Mills." In that case, relief is requested: 1) to reflect a private roadway extension within a portion of the remaining lands labeled Parcel "A" of Jerusalem Mills, which was recently conveyed to Developers, and to reflect the change in ownership of that parcel; 2) to add a 100-year floodplain, drainage and utility easement, and forest conservation easement within a portion of Parcel "A;" and, 3) to add wetlands and a forest buffer to Parcel "A."

In summary, the purpose of the requested relief is to move the proposed extension of Bluestone Road so that it disturbs less of the attendant stream, to make Bluestone Bridge Road a private road, and to add updated environmental information. The subject property and proposed subdivision are more particularly described on the four-page, redlined development plan submitted and marked into evidence as Developer's Exhibits 7A through 7D, and collectively Petitioner's Exhibits 1 and 2, (Case No. 05-314-SPH), and Petitioner's Exhibits 1A-1C and 2A-2C, (Case No. 05-315-SPH).

This proposal has been reviewed in accordance with the development review regulations codified in Article 32 of the Baltimore County Code. Those regulations establish a process by which development is reviewed through a series of steps or stages. The first step of the process requires that the Developer submit a Concept Plan, which as the name suggests, is a schematic representation of the proposed development. The concept plan is submitted for review at a conference held by and between representatives of the Developer and the County at a Concept Plan Conference (CPC), which in this case was conducted on December 29, 2003. The second step of the process requires a Community Input Meeting (CIM), which is conducted during evening hours at a public facility in the vicinity of the proposed development. The CIM provides an opportunity for residents of the locale to review and offer comment on the proposal. The CIM for this project was held on January 22, 2004 at the Kingsville Volunteer Fire Department. Subsequently, a development plan is submitted for review and comment at a

conference held again between the Developer and County agency representatives. Often the development plan has been revised to incorporate changes suggested at the CPC and/or CIM. The Development Plan Conference (DPC) in this case was held on January 26, 2005. The fourth and final phase of the review process requires a Hearing Officer's Hearing (HOH). The HOH is a public hearing before the Zoning Commissioner/Deputy Zoning Commissioner, and is conducted in accordance with the rules governing administrative hearings in this State. In this case, the Hearing Officer's Hearing was conducted over three days, namely, February 17, 2005, March 25, 2005, and May 13, 2005. As was done in this case, the Hearing Officer's Hearing may be combined with the public hearing required for the requested zoning relief. The Hearing Officer solicits testimony from the Developer, representatives of reviewing County agencies, and neighbors and interested individuals from the community. Issues and concerns are initially identified during an informal phase of the hearing, after which testimony on those issues is then presented in detail. The Hearing Officer is required to issue a written decision within 15 days of the closing date of proceedings. As required, this decision follows.

Appearing on one or more hearing dates in support of the project were Henry J. Fischer and his wife, Shirley M. Fischer; Joseph M. Moran on behalf of Kingsmill, LLC Contract Purchasers/Developers; and Jeffrey Scherr, Esquire, and Mindy L. Caplan, Esquire attorneys for the Owners/Developers. The Developer produced as an expert witness, Jeffrey J. Deegen, a Professional Engineer, who prepared the development plan(s); Donald M. Mitten, Chief Engineer with Richardson Engineering, LLC; Mickey Cornelius, a traffic engineer; and Henry Leskinen, an ecologist.

The requested approval of the proposed development plan was contested. The opponents are generally residents of the neighborhood and include Samuel Talbot, Leigh Keller, Tom and Marilyn Shipley, Vaughn and Candace Cronauer, Dennis & Lisa Bolt, Ronald and Cynthia Tyszko, Robert Hester, Timothy and Lisa Winter, Edward and Marie McBride, Dinah Buck, William and Teresa Albright, John Josenhans, Nick Thrappas, David Williams, John Earnshaw, Mitch Butta, Steven Schulte, Charlotte Pine, John Hannan, Drew Mize, and Anne

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Cottone. J. Carroll Holzer, Esquire represented the Greater Kingsville Civic Association and Laverne Laubach. Numerous representatives of the various Baltimore County agencies who reviewed the plan appeared and or testified at the hearing. They included the following individuals from the Department of Permits and Development Management (DPDM): Donald Rascoe, Deputy Director of DPDM and Walt Smith, Project Manager; Bob Bowling and Rahee Famili, Development Plans Review; Eric Rockel and Don Stires, Land Acquisition; and, Donna Thompson, Zoning Review. Also appearing on behalf of the County were Mark Cunningham, Office of Planning (OP); Lt. Frank Cook, Baltimore County Fire Department; R. Bruce Seeley and John Oltman, Department of Environmental Protection and Resource Management (DEPRM); and Jan Cook, Department of Recreation and Parks (R&P). In addition, written Development Plan Comments are contained within the case file from those agencies.

The subject property under consideration is an irregularly shaped parcel located at the north end of Bluestone Road, south of Greenhouse Lane and Jericho Road near Gunpowder Falls State Park in Kingsville. The Fischers have owned the subject property for many years and used the northernmost portion of the site for their commercial florist business and agricultural operations. The property contains a gross area of 38.38 acres, more or less, zoned R.C.5, and is improved with a single-family dwelling wherein the Petitioners' son, David Fischer, resides, known as 8211 Greenhouse Lane, which will remain as Lot 12. The property contains significant environmental constraints, including floodplains, a stream, wetlands, and steep slopes. Although the acreage of the property and zoning classification would permit up to 20 homes, the Developer proposes only 14, including the one existing. The lots will range in size from a minimum of 1.06 acres (Lot 9) to 6.92 acres (Lot 1). Each lot will be served by private well and septic system. Development of the property will primarily occur in the central and northern portions of the site, owing to the environmental constraints in the southern portion of the tract. Vehicular access to the new lots is proposed by way of a planned extension of Bluestone Road through the Lands of Henry Fischer (Parcel A), which will cross over a stream via a bridge and enter the west side of the property. At that point, a private road, to be known as Bluestone

Bridge Road, will be constructed which will lead into the interior of the site and terminate as a cul-de-sac. A smaller road, to be known as Fischer Court, will be constructed to provide access to the interior lots on the north side of Bluestone Bridge Road.

An extensive volume of testimony and evidence was offered in this case over the three hearing dates. Due to limitations of time and space, it is impossible to repeat all of the testimony offered herein. Additionally, there were numerous documents, photographs, plats, written memoranda, and other exhibits entered into the record of this case. Testimony and evidence offered by both sides as well as the issues raised and arguments advanced were recorded by Esquire Deposition Services.

STANDARD OF REVIEW

A brief comment is in order about the standard of review that the Hearing Officer must apply in this case. As noted in a prior opinion issued by this Office, the development review regulations establish the "rules of the game" insofar as development in Baltimore County. The Developer may argue that these rules are too strict, while the Community may contend that they are not strict enough. Regardless, they are what they are. If the Developer meets the regulations, approval of the plan must follow. Moreover, if the Community can show that the plan should be changed to appropriately mitigate an anticipated negative impact upon the locale, then a restriction/condition to the plan can be imposed.

Pursuant to Sections 32-4-227 and 228 of the Baltimore County Code which regulates the conduct of the Hearing Officer's Hearing, I am first required to identify any outstanding issues or agency comments. The issues and concerns raised at the hearing and in written memorandum are addressed as follows:

DEVELOPER'S ISSUES

At the first Hearing Officer's Hearing on February 17, 2005, the only issue raised by Developer's Counsel was a technical one, dealing with the proposed amendment to designate the now public paper road (Bluestone Road) to one designated and held as a private road. This issue will be dealt with later in this opinion; however, suffice it to say that the previously approved

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Final Development Plan for the Lands of Henry Fischer, recorded some 10 years ago, designated Bluestone Road as a public paper road. The Owners/Developers propose to amend that plan to extend Bluestone Road as a private road (Bluestone Bridge Road) which is a scenario that is supported by the homeowners who currently reside within the remainder of Parcel A of the Lands of Mr. Henry Fischer. The Opponents, on the other hand, believe the road should be extended through Parcel A as a public road.

COUNTY ISSUES

With the exception of the Department of Environmental Protection and Resource Management (DEPRM) and the Office of Planning (OP), the County agency representatives who were present identified no outstanding or unresolved comments and recommended plan approval. On behalf of DEPRM, Bruce Seeley appeared and identified two issues raised by the Groundwater and Stormwater Management Divisions that would require resolution and plan revisions before his Department would recommend approval. Mark Cunningham on behalf of the Office of Planning requested the reorientation of the homes on Lots 6 and 7 and the relocation of trash collection and mailboxes on the panhandle lots.

The issue of whether to extend Bluestone Road as a public or private road was also raised by Don Stires of the Bureau of Land Acquisition. He noted that while the plan complies with all the requirements for development, his office has taken the position that the prior recorded Final Development Plan for the Lands of Henry Fischer created an irrevocable offer of dedication for this road. Thus, they will not consent to an amendment of the plan to now reflect the extension of Bluestone Road as a private road. On the contrary, Robert Bowling, as Chief of the Bureau of Development Plans Review and on behalf of the Department of Public Works, stated that they had no objections to the proposed amendment, given the fact that the road will be constructed in accordance with County requirements.

Prior to receiving testimony on the issues raised by the Protestants/citizens who were present, J. Carroll Holzer, Esquire filed a Motion that the hearing be continued. He stated that the hearing should be continued until such time as the Developer submits a revised development

plan addressing the issues raised by DEPRM and a final determination of the public versus private access road is made. Counsel for the Owners/Developers objected to the request for continuance and for reasons stated in open hearing, Mr. Holzer's Motion was denied. Specifically, the undersigned Hearing Officer noted the lengthy history of the project to date and the fact that a second date had been pre-arranged for the hearing's continuance. In my view, this 30-day, plus, time period would provide adequate time for the Developer's engineer to address DEPRM's concerns and the opportunity for Counsel to submit memorandum on their respective positions on the road closing issue.

PROTESTANTS' ISSUES

Regarding the development plan, most of the issues raised by the attending community members revolved around the idea that there was no need for another housing development in the area. Their cumulative concerns can be summarized into two categories; public safety and environmental. Public safety issues concerned perceived increases in traffic and pedestrian safety risks through the existing residential neighborhoods bordering Redstone and Bluestone Roads; a potential for short cuts through the new development to access Greenhouse Lane and Jericho Road to the north; and, the heavy equipment needed to fill in portions of the floodplain area and construct a 60-foot span bridge over the stream and new road placing undue stress on existing roads and infrastructure. The second area of concern with significant testimony and evidence offered by both sides related to storm water management and environmental issues. As noted above, this is an environmentally sensitive site with significant storm water runoff and flooding conditions occurring at the outfall or culvert positioned under Jericho Road. Other neighbors questioned if there would be adverse impacts to their existing wells, the wildlife, septic runoff, and whether perc tests were properly conducted, and finally, whether the plan involved property on the Landmarks Preservation Commission list.

1) Groundwater and Stormwater Runoff

As a result of deficiencies raised by DEPRM, a second redlined plan was submitted at the hearing on March 25, 2005 addressing comments received from the Stormwater

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Management Division of DEPRM. The plan shows two stormwater management facilities. The first is a pre-treatment segment located west of the access road prior to the point where the proposed road crosses the stream. Storm water is funneled through storm drains and swales to this facility and through sand filters. It is then released over a 12-hour period where it flows to the second facility, an existing pond that will function as a detention facility. Mr. Deegan testified that the facility has been designed to manage the required 2-, 10-, and 100-year flood protection volumes. The Protestants argue that stormwater runoff will likely increase placing further burden in the area of the concrete culvert under Jericho Road near the Talbot and Laubach properties. Ms. Laubach submitted photographic evidence showing the impact that existing flooding conditions have had on her property over a 10-year period. Mr. Deegan testified that the proposed storm water management system would actually decrease the amount of water runoff she is currently experiencing on her property by 25%.

Robert Hester, who resides at the end of Bluestone Road, expressed concern about the amount of stormwater runoff that now flows onto his property and complained that the existing T-turnaround was never completed. Mr. Deegan addressed Mr. Hester's concerns and explained how the T-Turnaround would be improved so that water will be taken to the storm water management facility instead of running onto Mr. Hester's property. He testified that the proposed extension of Bluestone Road will be curbed so that water will be contained and directed to fall into inlets on both sides of the road and then taken to the detention facility.

In addressing the concerns regarding potential impacts on existing wells in the area, Mr. Seeley explained the geological formation of the area and that groundwater is stored in cracks and fishers beneath the ground surface. Because the groundwater in this area is drawn from pockets that, usually, have no extensive connection to each other, there are general minimal impacts to other wells in the area. The significant amount of floodplain space and other areas that will not be developed assures sufficient recharge for the number of wells proposed.

The issue of stormwater management is a frequent concern in development plan cases. DEPRM's Stormwater Management Division maintains and enforces stringent

regulations regarding this issue. I am confident that their review of the proposal in this case was thorough. Although appreciative of Ms. Laubach's and others concerns, I believe that the plan adequately provides for stormwater protection.

2) Septic Reserve Areas

Another issue raised by the Protestants relates to the septic reserve areas for this property and assertions that the percolation tests conducted were not appropriately performed. The resolution of this issue is similar to that relating to wells. Baltimore County has in place regulations regarding the required size of septic reserve areas, the capacity thereof, the distance from adjacent wells, and other septic reserve areas, etc. These regulations have all been applied to this development plan and the plan complies with those regulations in all respects. There is no credible evidence in the record that the septic reserve systems proposed for the lots in this case will cause detrimental impacts to adjacent properties.

Despite Ms. Laubach's testimony that the tests were not properly performed, the septic reserve areas have been determined to be appropriate through percolation tests. I decline to deny the plan on this issue.

3) Traffic/Vehicular Access/Public Safety

As noted above, the existing Bluestone Road will be extended with a new road leading into the interior northern portion of the site. It is also significant to observe that the road will traverse across a portion of this site that contains a stream and steep slopes. Nonetheless, whether ultimately determined to be a public or private road, it will be engineered, designed and constructed in accordance with all appropriate County standards for road and bridge design and construction. The proposed development of 13 additional homes will generate minimal traffic. According to accepted authorities in the transportation industry, each of the single family dwelling units proposed will generate 10 "average daily trips" (ADTs) per day. That is, there will be 5 "out" movements from the site and 5 "in" movements for returning traffic on a daily basis for each dwelling. All told, the ADTs anticipated for the houses on Bluestone Bridge Road and Fischer Court will be 140. Moreover, the number of ADTs is not to be misunderstood to

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mean that there will be 140 cars exiting Bluestone Bridge Road onto Chapman Road each morning. Rather, one resident may go to work in the morning and return home at night. This "in" and "out" traffic movement constitutes two ADTs. There are anticipated to be 140 ADTs interspersed throughout a 24-hour day. It cannot be seriously contended that the introduction of this volume of traffic will create congestion or overburden Bluestone, Redstone, or Chapman Roads.

Another area of contention relative to this issue relates to the private road running from Lot 12, owned by the Owner's son, David Fischer, to Greenhouse Lane. To prevent this access road from being used as a public thoroughfare, the Developer has agreed to plant a landscape barrier and has amended the site plan to reflect a chain barrier or a gate to prevent all unauthorized access.

4) Alleged Lack of Due Process

On April 13, 2005, Richard Klein, of Community and Environmental Defense Services, wrote a letter to Dennis Kennedy with the Bureau of Development Plans Review, a division of DPDM, alerting him that there were over 100 homes along Redstone Road and the intersecting dead-end roads in the community. In view of this, he pointed out that the Bureau of Development Plans Review Policy Manual requires more than one means of access to the community (Petitioner's Exhibit 9). Based on these findings, Mr. Holzer contended that the introduction of the amended redlined plan should be denied due to an alleged lack of due process and asserted that another community input meeting (CIM) is warranted to consider the alternative means of access. It should be noted that the Protestants retained Mr. Klein's services following the close of the Developer's case on March 25, 2005.

In response thereto, the Developer submitted to Baltimore County three alternative means of access. Rahee Famili testified on behalf of Development Plans Review that the policy only requires that an alternative means of access be shown as feasible; or, physically possible, when there are over 100 but less than 150 homes using a single means of access. Mr. Famili reviewed the three alternatives proposed by the Developer and approved two of them. He

testified that the actual construction of a second means of access is not required, unless there are over 150 homes using one means of access. Because the proposed development of the subject property would not increase the total units using the current means of access to more than 150 homes, the Developer is not required, nor do they intend, to construct a second means of access.

As has been stated frequently in prior development plan decisions rendered by this office, the development review process in Baltimore County is evolutionary in nature. The process is designed to identify, address and resolve issues as they become apparent. This approach has been endorsed repeatedly by the Hearing Officers for Baltimore County, the Board of Appeals, and the appellate Courts that review these cases. The record of this case will show that the hearing was spread over the course of several months and that no County agency raised any objection as to the timing of any submittals. I do not find anything in the process of this case that caused undue prejudice to the Protestants or to their ability to understanding the plan and raise objections thereto. I believe that due process was afforded all parties so as to give them an opportunity to understand the proposal and present their respective positions relating thereto. Thus, the plan shall not be denied on that basis.

5) Landmarks Preservation List

Mr. John Earnshaw, a resident of historic Franklinville, which is southeast of the subject site and extends into Harford County east of Jericho Road, appeared and offered testimony at the May 13, 2005 hearing. He testified that Jericho Road connects to historic landmark properties; Jerusalem Mills, which is northwest of the property, and Franklinville. He further testified that Jericho Road experiences flooding problems, especially at the culvert that is located near Ms. Laubach's property. He joined the others in expressing concern about additional water runoff being directed to Jericho Road and opined that should the road be washed out, access to the historic sites would be impaired. Mr. Deegan, however, testified that because the 2-, 10- and 100-year storms would be managed, the actual runoff from the subject property in its developed state would be less than it is now. He further testified that the water runoff from the subject property would not run to Franklinville, which is uphill, or that the

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Franklinville floodplain would drain down into the culvert at Ms. Laubach's property, as suggested by Mr. Earnshaw. Another valley exists between Ms. Laubach's property and historic Franklinville, which would prevent water from travelling from one location to the other.

Although he does not represent Mr. Earnshaw, Protestant's Counsel made a Motion, pursuant to Section 32-4-231 of the B.C.Z.R., that the plan be referred to the Planning Board because it involved a building, structure or site included on the Landmarks Preservation Commission list. The plan, however, does not involve in any respect whatsoever any portion of historic Franklinville or any historic properties. Thus, this Zoning Commissioner declined to seriously consider a referral of this matter to the Planning Board.

While I am appreciative of the fact that the neighbors who actually reside in the area are no doubt familiar with existing conditions on their own properties, I am not persuaded by the conclusions that they draw with regard to the proposed development. Simply stated, I am not convinced that their allegations are meritorious and that development of the subject property as proposed will adversely impact adjacent properties or aggravate off-site conditions. For example, the argument presented that the Developer's storm water management proposal "would only exacerbate the already present flooding conditions" on the Laubach and Talbot properties is unsupported by any competent and reliable evidence presented. Having considered all the testimony and evidence offered on the issues identified, I am persuaded that the development plan meets all requirements, regulations and standards for development in Baltimore County. Thus, the four-page redlined development plan for the Fischer Property shall be approved, subject to the ongoing review process mandated by Phase 2 of the review process and the conditions attached below relative to the access road.

ZONING RELIEF

As noted above, the Owners/Developers also seek approval of certain amendments to two previously approved FDPs to reflect a private roadway extension in lieu of the previously shown public paper road to provide access to the proposed development. In this regard, the Developer proposes a private roadway extension within a portion of the remaining Lands of Mr.

Henry Fischer, known as Parcel "A" and labeled on the previously approved FDP as "Highway R/W for Future Road." In addition, the road will also extend through "Parcel A" of Jerusalem Mills, which was recently conveyed to the Developer. In this regard, it is to be noted that initial plans for this private road did not involve the Jerusalem Mills' property; however, at DEPRM's request, the road was reconfigured to cross the stream at a more perpendicular angle. Thus, the Petitioners acquired Parcel A of Jerusalem Mills for this purpose and therefore, an amendment to reflect both the change in ownership of Parcel A of Jerusalem Mills and the use of that portion of the property for the private road extension is necessary. Both the amended FDPs and the development plan will reflect the extension of Bluestone Road as a private road to be known as Bluestone Bridge Road to access the subject property, and the acquisition of Parcel A of Jerusalem Mills. In addition, the environmental amendments are a direct result of more current information regarding the location of the floodplain and other environmental conditions and delineations of natural resources, as well as updated environmental rules and regulations.

With regard to the access road, the Baltimore County Bureau of Land Acquisition contends that, per the record plat for the Lands of Mr. Henry Fischer, which was recorded in 1995 (*see* County's Exhibit 4), Mr. Fischer offered for dedication the future roadway to the County as a public road. Because the County considers the offer of dedication to be irrevocable, it will not consent to amending the FDPs to reflect a private road or approving the Plan if a private road is reflected.

Contrary to the County's contention, however, the Owners/Developers are not proposing to withdraw the offer of dedication. Instead, they argue that the County did not accept, and in fact, rejected the offer of dedication. Thus, the proposed roadway may be a private road.

Section 32-4-271 of the Baltimore County Code ("BCC") provides that irrevocable offers of dedication to the public of all public improvements shall accompany the plat and shall be in a form approved of by the County Attorney. (Section 32-4-271(b), BCC). Only the County Executive may accept formal offers of dedication. (Section 32-4-271(d)(1), BCC).

ORDER RECEIVED FOR FILING
Date 3/27/15
By

The recording of a plat, however, "does not constitute or imply the acceptance by the county of any public improvement . . . shown on the plat." (Section 32-4-271(d)(2), BCC). Indeed, a plat must contain, *inter alia*, the following notations:

a. That the recording of the plat *does not constitute or imply acceptance by the County* of any public improvement shown on the plat;

b. That the recording of the plat *does not guarantee construction of streets* or utilities by the county; and

c. That the information shown *may be superceded by a subsequent or amended plat.*

Section 32-4-271(f)(1), (3) and (4), BCC (emphasis added).

Acceptance by the County of a dedicated road is conditioned upon the road meeting various construction requirements. (*See* Section 18-3-307(b), BCC). Because a road must meet certain physical requirements before the County may accept an offer of dedication, the County cannot accept a road that has not yet been built.

The Developer argues that for a dedication of a public road to be complete, there must be an offer *and* an acceptance. United Finance Corp. v. Royal Realty Corp., 172 Md. 138, 191 A. 81, 86 (1937). In addition, "[s]uch an offer must be accepted within a reasonable time." United Finance Corp., 172 Md. 138, 191 A. at 86. The method of acceptance by the County of a dedicated road shall be by endorsing the deed of conveyance, which must be recorded. (Section 18-3-307(c), BCC). Because the requirements for a dedication have not been met, there is no reason why the road cannot be private.

Further testimony and evidence offered by the Owners/Developers is more fully set forth in the two well prepared Memoranda submitted during the hearing, and the Post-Hearing Memoranda submitted at its conclusion. They address, among other things, the bridge and road construction standards, maintenance responsibilities, etc. As the record reflects, I received conflicting testimony and positions while conducting the hearing. A review of relevant authority raised a question as to whether I, as Zoning Commissioner, have the authority to supercede

Section 18-3-302 of the BCC dealing with the mechanism for closing County roads. A request for legal guidance from the Office of Law disclosed that the Developer would have to proceed pursuant to Section 18-3-302 and petition for a road closing through the Department of Permits and Development Management (DPDM). If the County approves the closure of the road, the Developer would be able to amend the prior FDPs, accordingly.

Notwithstanding Developer's arguments that the Zoning Commissioner has the authority to make such a ruling, the Developers filed a Petition to close the road extension of Bluestone Road under Case No. R.C.2005-002. A hearing in that matter was held before Donald T. Rascoe, Deputy Director of the Department of Permits and Development Management (DPDM) on May 4, 2005 and a decision in that matter is still pending.

Regardless of whether the road extension is ultimately deemed to be public or private, the remaining changes to the FDPs for both The Lands of Mr. Henry Fischer and Jerusalem Mills should be approved. There is no compelling reason, legal or otherwise, to deny it. Therefore, I shall approve the plan and Petitions for Special Hearing, pending a decision on the road closing issue. If the County approves the road closure, then the development plan as submitted and the amendments shall be approved. If the County denies the road closure, then a revised development plan reflecting the road as a public road must be submitted and the FDPs for the Lands of Mr. Henry Fischer and Jerusalem Mills revised accordingly.

CONCLUSION

After due consideration of all of the testimony and evidence presented, I am persuaded to approve the development plan, as submitted, and the Petitions for Special Hearing filed in Cases Nos. 05-314-SPH and 05-315-SPH, subject to the resolution of the road closing issue. Regardless of whether the road is designated a public or private road, the proposed extension and bridge will be constructed in accordance with public standards. All issues raised by the County and by the Protestants were adequately addressed by the plan. All wells and septic reserve areas have been configured to meet the appropriate setback requirements, percolation tests were properly performed, and all environmental issues and concerns have been addressed. In this

ORDER RECEIVED FOR FILING
Date 5/2/06
By

regard, a note will be added to the plan prohibiting the disturbance of the forest buffer easements and forest conservation easements, without express permission from DEPRM. Finally, the plan does not involve buildings, sites or structures on the Landmarks Preservation Commission's Lists. I am persuaded that the plan as submitted meets all County rules, regulations and standards and that the proposed amendments are appropriate. Moreover, I find that there will be no detrimental impacts to adjacent properties or the surrounding locale.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Article 32, Title 4 of the Baltimore County Code, the development plan shall be approved consistent with the comments contained herein and the Petitions for Special Hearing filed in Case Nos. 05-314-SPH and 05-315-SPH shall be granted, in part, consistent with the comments contained herein and the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by the Zoning Commissioner/Hearing Officer for Baltimore County this 27th day of May 2005 that the four-page, redlined development plan for the Fischer Property, identified as Developer's Exhibits 7A through 7D, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing filed in Case No. 05-314-SPH seeking approval of amendments to the Final Development Plan (FDP) for the "Lands of Mr. Henry Fischer" as follows: 1) to reflect a private roadway extension within a portion of the remaining lands, known as Parcel "A" and labeled as "Highway R/W for Future Road" to facilitate a more perpendicular crossing of an existing stream, which road will access the proposed Fischer Property development; to show the roadway area and associated R/W as part of the "HOA Common Area and Private Ingress and Egress Easement" of the Fischer Property; and, to show the remainder of Parcel "A" to be located within the boundaries of the adjoining proposed Lot 1 of the Fischer Property; 2) to add a storm water management device to treat and control the newly proposed impervious surfaces; 3) to amend the forest buffer so that it will be 25 feet from the 100-year floodplain and to relocate a portion of the forest buffer and wetlands; 4) to add a 100-year floodplain, drainage and utility easement and forest conservation

easement, as required by the Department of Environmental Protection and Resource Management (DEPRM); and, 5) to add a sign at the entrance of the Fischer Property Development, in accordance with Petitioner's Exhibits 1 and 2; be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing filed in Case No. 05-315-SPH seeking approval of amendments to the Final Development Plan for "Jerusalem Mills" as follows: 1) to reflect a private roadway extension within a portion of the remaining lands, labeled as Parcel "A" of Jerusalem Mills, which was recently conveyed to Developers, and to reflect the change in ownership of that parcel; 2) to add a 100-year floodplain, drainage and utility easement, and forest conservation easement within a portion of Parcel "A;" and, 3) to add wetlands and a forest buffer to Parcel "A," in accordance with Petitioner's Exhibits 1A through 1C, and 2A through 2C, be and is hereby GRANTED, subject to the following restriction:

1) The relief granted herein is contingent upon the Developer obtaining approval of its Petition to close the road in Case No. R.C.2005-002. In the event the Developer is denied the road closure, then a revised plan reflecting the extension of the road as a public road must be submitted prior to record plat. In addition, the FDPs for the Lands of Mr. Henry Fischer and Jerusalem Mills shall be revised accordingly.

2) A standard note shall be added to the plan prohibiting the disturbance of the forest buffer easements and forest conservation easements, without express permission from DEPRM.

Any appeal of this decision must be taken in accordance with Articles 32-4-229(B) and 32-4-281 of the Baltimore County Code.

WILLIAM J. WISEMAN, III
Zoning Commissioner/Hearing Officer
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING
Date 5/27/05
By

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

May 27, 2005

Jeffrey H. Scherr, Esquire
Mindy Caplan, Esquire
One South Street, 26th Floor
Baltimore, Maryland 21202

RE: Development Plan Hearing & Petitions for Special Hearing
(Fischer Property)
Cases Nos. XI-956 & 05-314-SPH & 05-315-SPH

Dear Counsel:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The development plan has been approved, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. & Mrs. Henry J. Fischer, 8215 Greenhouse Lane, Kingsville, Md. 21087
Mr. Jeffrey Deegan, 2309 Belair Road, Suite A, Fallston, Md. 21047
Mr. Henry Leskinen, P.O. Box 5006, Glen Arm, Md. 21057
Mr. Joseph M. Moran, 309 W. Chesapeake Avenue, Suite 208, Towson, Md. 21204
Mr. Don Mitten, 110 Old Padonia Road, Suite LC, Cockeysville, Md. 21030
J. Carroll Holzer, Esquire, 508 Fairmount Avenue, Towson, Md. 21286
Ms. Anne S. Cottone, 8005 Redstone Road, Kingsville, Md. 21087
Mr. Robert Hester, 11911 Bluestone Road, Kingsville, Md. 21087
Mr. Drew Mize, 7902 Redstone Road, Kingsville, Md. 21087
Ms. Dinah Buck, 11905 Bluestone Road, Kingsville, Md. 21087
Mr. Mitch Butta, 11902 Bluestone Road, Kingsville, Md. 21087
Mr. Sam Talbot, 11924 Jericho Road, Upper Falls, Md. 21156
Mr. Rob Loskot, Office of Law; Mr. Walt Smith, DPDM; DEPRM; OP; DPW; R&P; People's Counsel; Case File

REVISED

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at North end of Bluestone Road, North of Redstone Road and East of Chapman Road

which is presently zoned R.C. 5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve pursuant to Section 1B01.3(A)(7)(b) of the Baltimore County Zoning Regulations, the amendment of the Final Development Plan for the Lands of Mr. Henry Fischer. See attached.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, 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:

See attached signature page
Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

See attached signature page
Name - Type or Print

Signature

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Attorney For Petitioner:

Mindy L. Caplan
Name - Type or Print

Mindy L. Caplan
Signature

Kramon & Graham, P.A.
Company

One South Street, Suite 2600 (410) 752-6030
Address — Telephone No.

Baltimore — MD — 21202
City — State — Zip Code

Representative to be Contacted:

Jeffrey J. Deegan, Wilson Deegan & Associate
Name

2309 Bel Air Road, Suite A (410) 893-3700
Address — Telephone No.

Fallston — MD — 21047
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 3 hrs

UNAVAILABLE FOR HEARING

Reviewed By JNR VT Date 1-26-05 (Revised)

ORDER RECEIVED FOR FILING
Date 3/22/05
By

Case No. 05-314-SPH

REV 9/15/98

PROPOSED AMENDMENTS TO FINAL DEVELOPMENT PLAN OF
"LANDS OF MR. HENRY FISCHER"

In compliance with § 1B01.3(A)(7)(b), Petitioners request that the following changes be made to the Final Development Plan for the "Lands of Mr. Henry Fischer."

Amendment No. 1

A change is proposed to reflect a private roadway extension within a portion of the remaining lands, known as Parcel "A", and labeled as "Highway R/W for Future Road," in order to access the Fischer Property, which is currently being developed. Final design considerations for the roadway, as well as comments from the Department of Environmental Protection and Resource Management ("DEPRM"), demanded a more perpendicular crossing of the existing stream system. The roadway area and associated R/W will also be shown to be part of the "HOA Common Area and Private Ingress and Egress Easement" of the Fischer Property. The remainder of Parcel "A" will be shown to be located within the boundaries of the adjoining proposed Lot 1 of the Fischer Property Development.

Amendment No. 2

A change is proposed to add a storm water management device to treat and control the newly proposed impervious surfaces.

Amendment No. 3

A change is proposed to amend the forest buffer so that it will be 25 feet away from the one hundred year floodplain. This amendment is made at the suggestion of DEPRM, and is based on a more recent study of the location of the floodplain than what existed when the original Final Development Plan was approved. The location of a portion of the forest buffer and the wetlands will be changed to reflect the findings of Eco-Science Professionals, Inc.

Amendment No. 4

A change is proposed to add a one hundred (100) year floodplain, drainage and utility easement, and forest conservation easement, as required by DEPRM.

Amendment No. 5

A change is proposed to add a sign at the entrance of the Fischer Property Development.

ORDER RECEIVED FOR FILING
Date 6/22/05

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County
(Lands of Mr. Henry Fischer)

for the property located at 8223 Greenhouse Lane
which is presently zoned R.C. 5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve pursuant to Section 1B01.7(b) of the Baltimore County Zoning Regulations, the amendment of the Final Development Plan for the Lands of Mr. Henry Fischer. The property is shown on the attached Record Plat, which Plat was recorded among the Plat Records of Baltimore County in Plat Book SM 67, folio 111. See attached.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, 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:

See attached signature page
Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s):

See attached signature page
Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

State Zip Code

Attorney For Petitioner:

Jeffrey H. Scherr
Name - Type or Print

Signature

Kramon & Graham, P.A.
Company

One South Street, Suite 2600 (410) 752-6030
Address Telephone No.

Baltimore MD 21202
City State Zip Code

Representative to be Contacted:

Jeffrey J. Deegan, Wilson Deegan & Associates Inc.
Name

2309 Bel Air Road, Suite A (410) 893-3700
Address Telephone No.

Fallston MD 21047
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING Sch # 315

UNAVAILABLE FOR HEARING

Reviewed By JR/DT/JWP Date 12-22-04

Case No. 05-314-SPH

REV 9/15/98

We solemnly declare and affirm, under the penalties of perjury, that we are the legal owners of the property which is the subject of this Petition.

Legal Owners:

HENRY J. FISCHER

8215 Greenhouse Lane
Kingsville, Maryland 21087
(410) 592-9310

JOHN D. FISCHER

8211 Greenhouse Lane
Kingsville, Maryland 21087
(410) 592-2352

SHIRLEY M. FISCHER

8215 Greenhouse Lane
Kingsville, Maryland 21087
(410) 592-9310

KAREN D. FISCHER

8211 Greenhouse Lane
Kingsville, Maryland 21087
(410) 592-2352

Contract Purchaser/Lessee:

KINGSMILL, LLC

By: Joseph Moran, Managing Member
11619 Philadelphia Road
White Marsh, Maryland 21162
(410) 256-8650

314

03320/0/00121617.WPDv1

PROPOSED AMENDMENTS TO FINAL DEVELOPMENT PLAN OF
"LANDS OF MR. HENRY FISCHER"

In compliance with § 1B01.7(b), Petitioners request that the following changes be made to the Final Development Plan for the "Lands of Mr. Henry Fischer."

Amendment No. 1

A change is proposed to reflect a private roadway extension within a portion of the remaining lands, known as Parcel "A", and labeled as "Highway R/W for Future Road," in order to access the Fischer Property, which is currently being developed. Final design considerations for the roadway, as well as comments from the Department of Environmental Protection and Resource Management ("DEPRM"), demanded a more perpendicular crossing of the existing stream system. The roadway area and associated R/W will also be shown to be part of the "HOA Common Area and Private Ingress and Egress Easement" of the Fischer Property. The remainder of Parcel "A" will be shown to be located within the boundaries of the adjoining proposed Lot 1 of the Fischer Property Development.

Amendment No. 2

A change is proposed to add a storm water management device to treat and control the newly proposed impervious surfaces.

Amendment No. 3

A change is proposed to amend the forest buffer so that it will be 25 feet away from the one hundred year floodplain. This amendment is made at the suggestion of DEPRM, and is based on a more recent study of the location of the floodplain than what existed when the original Final Development Plan was approved. The location of a portion of the forest buffer and the wetlands will be changed to reflect the findings of Eco-Science Professionals, Inc.

Amendment No. 4

A change is proposed to add a one hundred (100) year floodplain, drainage and utility easement, and forest conservation easement, as required by DEPRM.

Amendment No. 5

A change is proposed to add a sign at the entrance of the Fischer Property Development.

314

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: #05-314-SPH
N/end of Bluestone Road, north of Redstone and east of Chapman Road
N/end of Bluestone Road, north of Redstone and east of Chapman Road
11th Election District - 5th Councilmanic District
Legal Owner(s): Henry J. & Shirley M. Fischer
Contract Purchaser: Kingsmill, LLC

Special Hearing: to amend the Final Development Plan for the lands of Mr. Henry Fischer. To reflect a private roadway extension within a portion of the remaining lands, known as Parcel "A", and lands, known as Parcel "A", and labeled as "Highway R/W for Future Road." The roadway area and associated R/W will also be shown to be part of the "HOA Common Area and Private Ingress & Egress Easement" of the Fischer Property. The remainder of Parcel "A" will be shown to be located within the boundaries of the adjoining proposed Lot 1 of the Fischer Property Development. To add a storm water management device to treat and control the newly proposed impervious surfaces. To amend the forest buffer so that it will be 25 feet away from the one hundred year floodplain. The location of a portion of the forest buffer and the wetlands will be changed. To add a one hundred (100) year floodplain, drainage and utility easement, and forest conservation easement; to add a sign at the entrance of the Fischer Property.

Hearing: Thursday, February 17, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204.

WILLIAM WISEMAN
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 2/601 February 1 37683

CERTIFICATE OF PUBLICATION

2/4/, 2005

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 2/1/, 2005.

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

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 11260
05-314 SPH

DATE 12-22-04 ACCOUNT R 001-016 6150

AMOUNT $ 325.00

RECEIVED FROM: [illegible]

FOR: [illegible]

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
DISTRIBUTION ACCT TIME AMT
12/23/2004 12/23/2004 13:30:19
TO MOOR [illegible]
RECEIPT # 205370 12/23/2004 OFLN
Dept 806 ZONING VERIFICATION
R NO. 011260
Recpt Tot $325.00
$650.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

Date January 30, 2005

RE: Case Number 05-314-SPH

Petitioner/Developer KRAMON AND GRAHAM, P.A.-JEFFREY SCHERR ESQ. /ETAL.

Date of Hearing/Closing February 17, 2005

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at END OF BLUESTONE ROAD (ON-SITE)

The sign(s) were posted on January 30, 2005

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

See Attachment Photos

ZONING NOTICE

CASE # 05-314-SPH

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

PLACE: ROOM 106 COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: THURSDAY FEBRUARY 17, 2005
AT 9:00 A.M.

REQUEST: SPECIAL HEARING TO AMEND THE FINAL DEVELOPMENT PLAN FOR THE LANDS OF MR. HENRY FISCHER TO REFLECT A PRIVATE ROADWAY EXTENSION WITHIN A PORTION OF THE RE-MAINING LANDS, KNOWN AS PARCEL "A", AND LANDS KNOWN AS PARCEL "B", AND LABELED AS HIGHWAY R/W FOR FUTURE ROAD. THE ROADWAY AREA AND ASSOCIATED R/W WILL ALSO BE SHOWN TO BE PART OF THE "HOA COMMON AREA AND PRIVATE INGRESS AND EGRESS EASEMENT" OF THE FISCHER PROPERTY.

BLUESTONE ROAD

ZONING NOTICE

CASE # 05-314-SPH

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

PLACE: ROOM 106 COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: THURSDAY FEBRUARY 17, 2005
AT 9:00 A.M.

REQUEST: THE REMAINDER OF PARCEL "A" WILL BE SHOWN TO BE LOCATED WITHIN THE BOUNDARIES OF THE ADJOINING PROPOSED LOT 1 OF THE FISCHER PROPERTY DEVELOPMENT. TO ADD A STORM WATER MANAGEMENT DEVICE TO TREAT AND CONTROL THE NEWLY PROPOSED IMPERVIOUS SURFACES. TO AMEND THE FOREST BUFFER SO THAT IT WILL BE 75 FEET AWAY FROM THE ONE HUNDRED YEAR FLOODPLAIN.

BLUESTONE ROAD

ZONING NOTICE

CASE # 05-314-SPH

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

PLACE: ROOM 106 COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: THURSDAY FEBRUARY 17, 2005
AT 9:00 A.M.

REQUEST: THE LOCATION OF A PORTION OF THE FOREST BUFFER AND THE WETLANDS WILL BE CHANGED TO ADD A ONE HUNDRED (100) YEAR FLOODPLAIN, DRAINAGE AND UTILITY EASEMENT AND FOREST CONSERVATION EASEMENT. TO ADD A SIGN AT THE ENTRANCE OF THE FISCHER PROPERTY.

BLUESTONE ROAD

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: 05-314 SPH

Petitioner: Kingsmill, LLC; Henry J. Fischer; Shirley M. Fischer

Address or Location: North end of Bluestone Rd., north of Redstone Road and east of Chapman Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jeffrey H. Scherr

Address: Kramon & Graham, P.A.
One South Street, Suite 2600
Baltimore, Maryland 21202

Telephone Number: 410-752-6030

Revised 2/20/98 - SCJ

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

April 12, 2005

Jeffrey H. Scherr, Esquire
Mindy Caplan, Esquire
One South Street, 26th Floor
Baltimore, Maryland 21202

RE: Development Plan Hearing & Petitions for Special Hearing
(Fischer Property)
Cases Nos. XI-956 & 05-314-SPH & 05-315-SPH

Dear Counsel:

This letter is to confirm that the hearing in the above-captioned matter, which was postponed on Friday, April 8, 2005, has been rescheduled by agreement of all parties, to Friday, May 13, 2005 at 9:00 AM in Room 407 of the Circuit Courts Building.

Thank you for your cooperation in this matter and should anyone have any questions on the subject, please do not hesitate to call me.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. & Mrs. Henry J. Fischer, 8215 Greenhouse Lane, Kingsville, Md. 21087
Mr. Jeffrey Deegan, 2309 Belair Road, Suite A, Fallston, Md. 21047
Mr. Henry Leskinen, P.O. Box 5006, Glen Arm, Md. 21057
Mr. Joseph M. Moran, 309 W. Chesapeake Avenue, Suite 208, Towson, Md. 21204
Mr. Don Mitten, 110 Old Padonia Road, Suite LC, Cockeysville, Md. 21030
J. Carroll Holzer, Esquire, 508 Fairmount Avenue, Towson, Md. 21286
Ms. Anne S. Cotlone, 8005 Redstone Road, Kingsville, Md. 21087
Mr. Robert Hester, 11911 Bluestone Road, Kingsville, Md. 21087
Mr. Drew Mize, 7902 Redstone Road, Kingsville, Md. 21087
Ms. Dinah Buck, 11905 Bluestone Road, Kingsville, Md. 21087
Mr. Mitch Butta, 11902 Bluestone Road, Kingsville, Md. 21087
Mr. Sam Talbot, 11924 Jericho Road, Upper Falls, Md. 21156
Mr. Walt Smith, DPDM; DEPRM; OP; DPW;
Mr. Rob Loskot, Office of Law; People's Counsel; Case File

Printed on Recycled Paper

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 27, 2005

CORRECTED NOTICE OF ZONING HEARING

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

CASE NUMBER: 05-314-SPH
N/end of Bluestone Road, north of Redstone and east of Chapman Road
N/end of Bluestone Road, north of Redstone and east of Chapman Road
11th Election District – 5th Councilmanic District
Legal Owners: Henry J. & Shirley M. Fischer
Contract Purchaser: Kingsmill, LLC

Special Hearing to amend the Final Development Plan for the lands of Mr. Henry Fischer. To reflect a private roadway extension within a portion of the remaining lands, known as Parcel "A", and lands, known as Parcel "A", and labeled as "Highway R/W for Future Road." The roadway area and associated R/W will also be shown to be part of the "HOA Common Area and Private Ingress & Egress Easement" of the Fischer Property. The remainder of Parcel "A" will be shown to be located within the boundaries of the adjoining proposed Lot 1 of the Fischer Property Development. To add a storm water management device to treat and control the newly proposed impervious surfaces. To amend the forest buffer so that it will be 25 feet away from the one hundred year floodplain. The location of a portion of the forest buffer and the wetlands will be changed. To add a one hundred (100) year floodplain, drainage and utility easement, and forest conservation easement; to add a sign at the entrance of the Fischer Property.

Hearing: Thursday, February 17, 2005 at 9:00 a.m. in Room 106, County Office Building,
111 W. Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Jeffrey Scherr, Kramon & Graham, One South Street, Ste. 2600, Baltimore 21202
Mr. & Mrs. Henry Fischer, 8215 Greenhouse Lane, Kingsville 21087
Mr. & Mrs. John Fischer, 8211 Greenhouse Lane, Kingsville 21087
Joseph Moran, Kingsmill, LLC, 11619 Philadelphia Rd., White Marsh 21162
Jeffrey Deegan, 2309 Bel Air Road, Ste. A, Fallston 21047

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, FEBRUARY 2, 2005.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 1, 2005 Issue - Jeffersonian

Please forward billing to:
Jeffrey Scherr, Esq.
Kramon & Graham
One South Street, Ste. 2600
Baltimore, MD 21202

410-752-6030

CORRECTED NOTICE OF ZONING HEARING

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

CASE NUMBER: 05-314-SPH
N/end of Bluestone Road, north of Redstone and east of Chapman Road
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Hearing: Thursday, February 17, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

WILLIAM WISEMAN
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 5, 2005

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: 05-314-SPH
8223 Greenhouse Lane
N/end of Bluestone Road, north of Redstone and east of Chapman Road
11th Election District – 5th Councilmanic District
Legal Owners: Henry J., Shirley M., John D. and Karen D. Fischer
Contract Purchaser: Kingsmill, LLC

Special Hearing to approve the amendment of the Final Development Plan for the lands of Mr. Henry Fischer. The property is shown on attached Record Plan, which Plat was recorded among the Plat records of Baltimore County in Plat Book SM 67, Folio 111.

Hearing: Thursday, February 17, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Jeffrey Scherr, Kramon & Graham, One South Street, Ste. 2600, Baltimore 21202
Mr. & Mrs. Henry Fischer, 8215 Greenhouse Lane, Kingsville 21087
Mr. & Mrs. John Fischer, 8211 Greenhouse Lane, Kingsville 21087
Joseph Moran, Kingsmill, LLC, 11619 Philadelphia Rd., White Marsh 21162
Jeffrey Deegan, 2309 Bel Air Road, Ste. A, Fallston 21047

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, FEBRUARY 2, 2005.**
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(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 1, 2005 Issue - Jeffersonian

Please forward billing to:
Jeffrey Scherr, Esq. 410-752-6030
Kramon & Graham
One South Street, Ste. 2600
Baltimore, MD 21202

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: 05-314-SPH
8223 Greenhouse Lane
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Hearing: Thursday, February 17, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

WILLIAM WISEMAN
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING RECLASSIFICATION 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 reclassification hearing. This is accomplished by Baltimore County posting a sign on the property at least fifteen (15) days before the hearing and advertising in local newspapers. The advertising consists of a list and map of all reclassification petitions (cost evenly distributed between all petitioners), as well as individual advertising in local newspapers. The list and map must be published in two newspapers for three different weeks and the individual advertisements must be published in two newspapers fifteen (15) days prior to 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: 05-314-SPH

Petitioner: Kingsmill, LLC; Henry J. Fischer; Shirley M. Fischer; John D. Fischer; Karen D. Fischer

Address or Location: 8223 Greenhouse Lane

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jeffrey H. Scherr, Esquire, Kramon + Graham, P.A.

Address: One South Street, Suite 2600
Baltimore, MD 21202

Telephone Number: (410) 752-6030

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 8, 2005

Mindy Caplan
Kramon & Graham, P.A.
One South Street, Suite 2600
Baltimore, Maryland 21202

Dear Ms. Caplan:

RE: Case Number: 05-314-SPH

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 26, 2005.

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
Jeffrey Deegan, Wilson Deegan & Assoc. 2309 Bel Air Road, Ste. A. Fallston 21047
Henry and Shirley Fischer 8215 Greenhouse Lane Kingsville 21087
Kingsmill, LLC. Joseph Moran 11619 Philadelphia Road White Marsh 21162

Fire Department

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

Baltimore County

James T Smith, Jr., County Executive
John J. Hohman, Chief

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

January 4, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: January ~~10~~, 2005

Item No.: 305,306,308-309,~~311~~-318 (314)

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time.

Lieutenant Franklin J. Cook
Fire Marshal's Office
(O)410-887-4881 (C)443-829-2946
MS-1102F

cc: File

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

State Highway Administration
Driven to Excel

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

Date: 1-3-05

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

RE: Baltimore County
Item No. 314 JJS

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,

Steven D. Foster, Chief
Engineering Access Permits Division

Pay 2/17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 27, 2005

RECEIVED

FEB - 1 2005

ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-314**

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 Cunningham in the Office of Planning at 410-887-3480.

Prepared By: Mark A Cunningham

Division Chief: Lyn Lanham

MAC/LL

W \DEVREV\ZAC\nocomment doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 21, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For January 10, 2005
Item Nos. 305, 306, 308, 309, 310,
311, 313, 314, 315, 316, 317, and
318

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

RWB:CEN:jrb

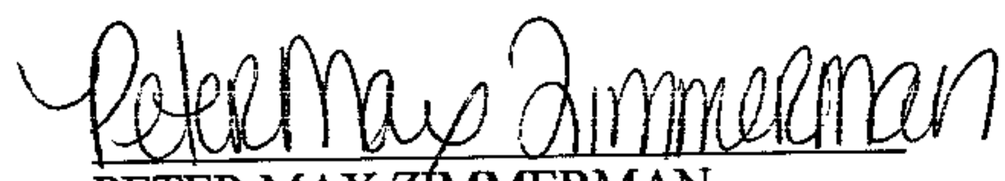
cc: File

RE:	PETITION FOR SPECIAL HEARING	*	BEFORE THE
	8223 Greenhouse Lane; N/end Bluestone Rd,		
	N Redstone & E of Chapman Rd	*	ZONING COMMISSIONER
	11th Election & 5th Councilmanic Districts		
	Legal Owner(s): Henry, John, Shirley,	*	FOR
	and Karen Fischer		
	Contract Purchaser(s): Joseph Moran,	*	BALTIMORE COUNTY
	Managing Member, Kingsmill, LLC		
	Petitioner(s)	*	05-314-SPH

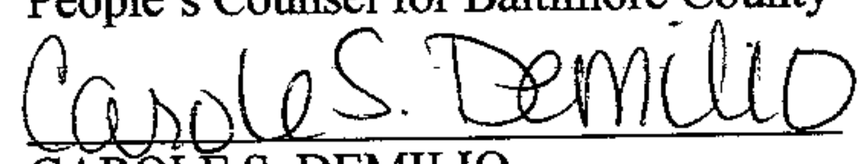
* * * * * * * * * * * * *

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 and documentation filed in the case.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



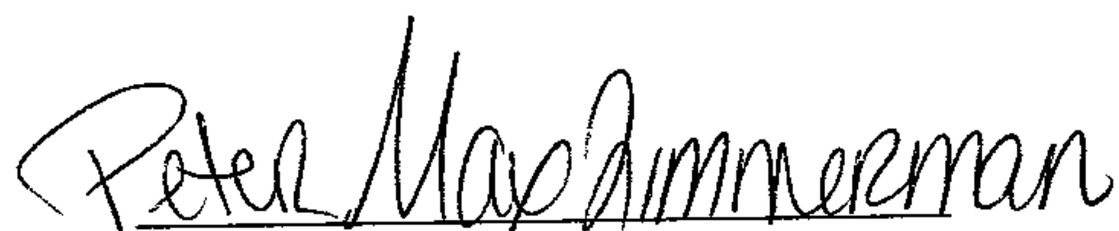
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of Janaury, 2005, a copy of the foregoing Entry of Appearance was mailed to Jeffrey Deegan, William Deegan & Associates, Inc, 2309 Belair Road, Suite A, Fallston, MD 21047 and Jeffrey Scherr, Esquire, Kramon & Graham, P.A., One South Street, St. 2600, Baltimore, MD 21202, Attorney for Petitioner(s).



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

LAW OFFICES
KRAMON & GRAHAM, P. A.
ONE SOUTH STREET
SUITE 2600
BALTIMORE, MARYLAND 21202-3201
TELEPHONE: (410) 752-6030
FACSIMILE (410) 539-1269

www.kramonandgraham.com

MINDY CAPLAN
DIRECT DIAL
(410) 347-7419
DIRECT FACSIMILE
(410) 361-8207

E-MAIL
mcaplan@kg-law.com

December 22, 2004

#314
05-314 SPH

VIA HAND DELIVERY

Mr. Carl Richards
County Office Building
Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Fischer Property (8223 Greenhouse Lane)

Dear Mr. Richards:

Enclosed for filing are two Petitions for Special Hearing that request approval of two amended Final Development Plans. Because the Development Plan for the Fischer Property must be filed and notice posted within 12 months of the conclusion of the final community input meeting, *i.e.*, by January 22, 2004, time is of the essence. We are proposing to file the Development Plan and these two Petitions for Special Hearing at one time so that we may have one consolidated hearing regarding all issues concerning the Fischer Property and the adjacent properties for which the Final Development Plans will be amended. A Hearing Officer's Hearing has been set for February 17, therefore, we request that the special hearings to amend the Final Development Plans be conducted on February 17 as well.

Please call if you have any questions or concerns.

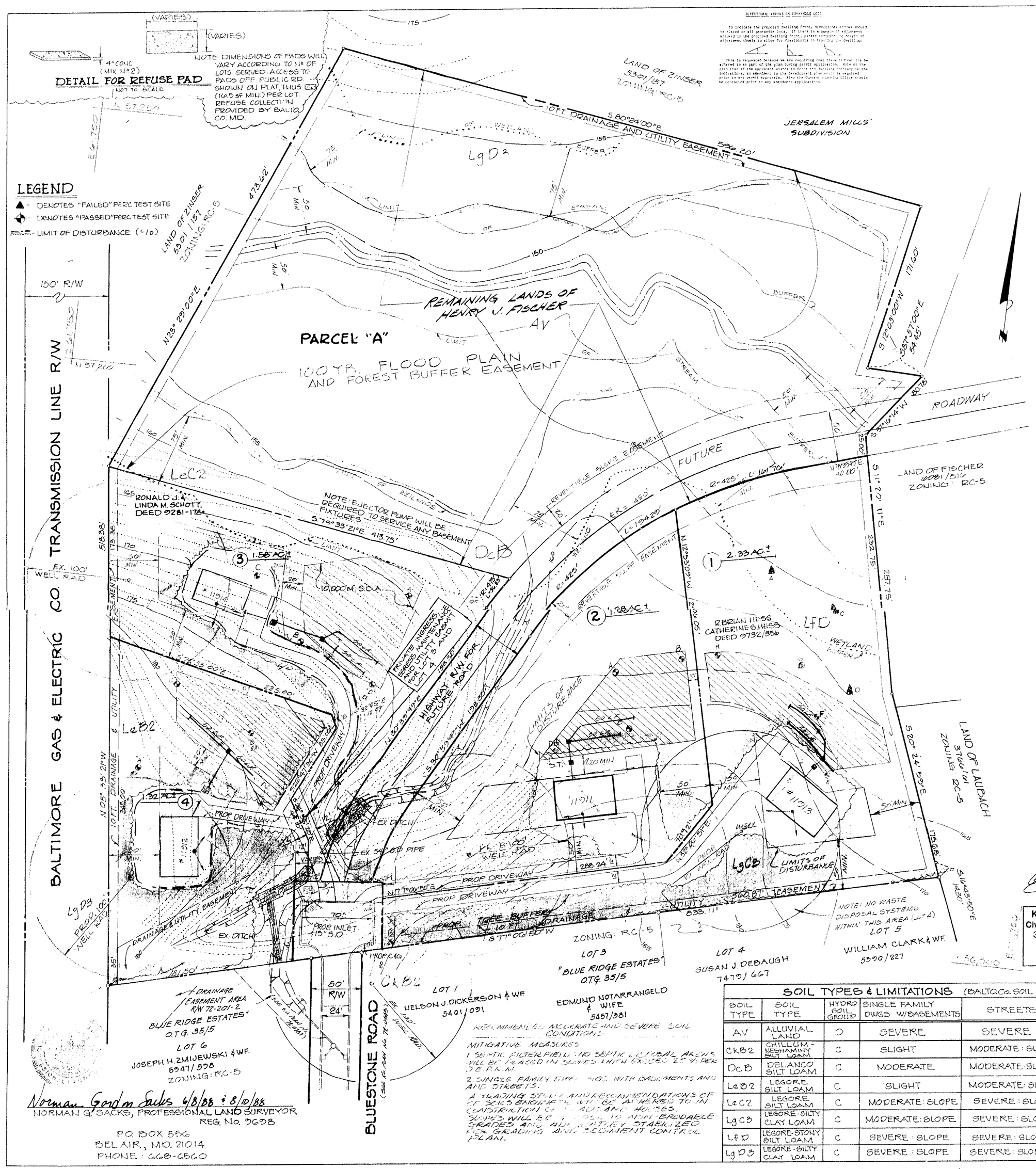
#314

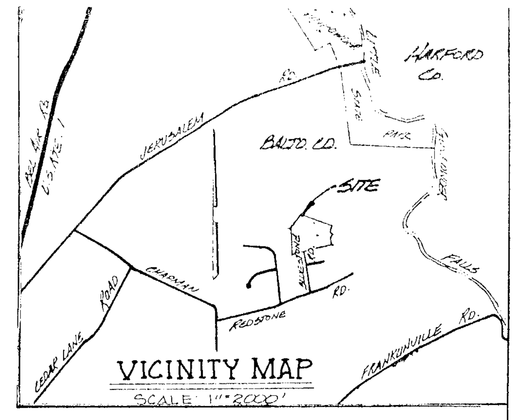
Sincerely,

Mindy L. Caplan

Mindy L. Caplan

MLC/clm
Enclosures
cc: Kingsmill, LLC (with all enclosures except for the plans)





GENERAL NOTES

1. PROPERTY AREA:

Lot 1 Area =	2.52 ac ±
Lot 2 Area =	1.68 ac ±
Lot 3 Area =	1.58 ac ±
Lot 4 Area =	1.32 ac ±
Proposed Road R/W =	0.15 ac ±
Future Road R/W =	0.84 ac ±
Remaining Lands and Flood Plain	5.88 ac ±
Gross Area	13.78 ac ±

2. ELECTION DISTRICT: 11C5
COUNCILMATIC DISTRICT: 5
CENSUS TRACT: 4111.02
WATERSHED: Lower Gunpowder
SUBDEWERSHED: None

3. EXISTING LAND USE: Woodland
No slopes exceed 25%
PROPOSED LAND USE: Single Family Detached Residential Lots

4. ZONING: RC-5

DENSITY CALCULATIONS: Allowed 0.667 x 13.776 = 9.2
Proposed 4 Dwelling Units plus One Parcel

PARKING SPACES: Off Street Parking Provided 2 p.s. per Unit

MINIMUM LOT AREA: 1.0 Acre

MINIMUM SETBACKS: Front 75' from Centerline, Right-of-Way or 50' from Property Line
Side and Rear 50' from Property Line

All lots are for sale

5. All lots are to be served by private wells and septic systems.

6. Boundary survey prepared by Norman G. Sacks Associates, Inc.
Topography based on aerial photography and partial field run topographic survey.

BENCH MARK: Baltimore County X-9002 Elevation 256.58
7/8" iron pipe N.E. corner of bend in Chapman Road, 8' off edge of Macadam.

7. PANHANDLE LOTS:
a. Refuse collection, snow removal and road maintenance provided to the junction of the panhandle and street.
b. Concrete pads shall be provided at the curb line for mail and refuse collection.
c. Declaration of right of ways and maintenance agreements for panhandle lots shall be recorded in the Land Records of Baltimore County at the time of recordation of the record plat.
d. Panhandle driveways shall be 16' wide paved with 2" bituminous concrete (Band SN) placed on 8" of CR-6 base.

8. FLOODPLAIN: The existing stream is field located and the determination of the 100-year floodplain shown hereon has been approved by the Department of Public Works. No impact to floodplain is proposed.

9. STORMWATER MANAGEMENT: A variance from peak quantity management and water quality management was granted April 19, 1988. This waiver is for development of the four residential lots only and does not apply to future roadway.

10. GRADING: A grading permit will be required for all roadway storm drain, and [illegible] construction. A State Permit may be required. No more than 15% of any lot may be covered by [illegible].

11. Estimated A.D.T. = 12.4 x 4 = 50 A.D.T.

12. LANDSCAPE PLAN: A final landscape plan shall be approved by Office of Planning & Zoning prior to issuance of Building Permits.

13. There are no known existing or proposed [illegible] buildings, existing wells, or existing septic systems on this property.

14. OPEN SPACE: None required in RC-5 zone.

15. WETLANDS: Wetlands shown hereon are field delineated, field surveyed and approved by D.E.P.R.M.
No Development is allowed in field delineated wetlands and fifty foot stream buffer.
No further disturbance is allowed within the borders of the wetland and wetland buffers, and there shall be no further use of the stream crossing for any activity. Sole access must be from Bluestone Road. Purchasers of properties must be notified in writing prior to purchase that the wetlands are a protected area. They may not be drained, filled, cleared or otherwise disturbed. Restrictive covenants shall be recorded in the deeds of all lots governing the use of wetlands and wetland buffers.

16. ACCESSORY STRUCTURES: Building envelopes shown hereon are for the location of principal buildings only. Accessory structures, fences and projections into yards may be constructed outside the envelope, but must comply with Sections 400 and 301 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building permits.) Accessory structures, fences and projections into yard cannot be located in flood plain areas or hydric soils.

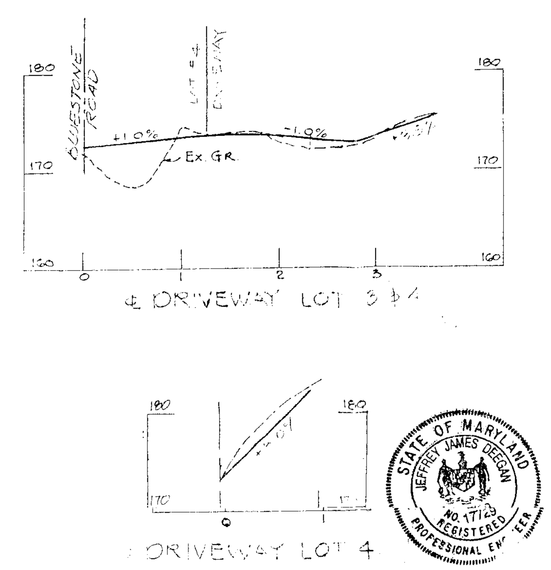
17. DIRECTOR OF ZADM NOTE: This development plan is approved by the Director of ZADM based on his interpretation of the Zoning Regulations, that it complies with present policy and bulk controls as they are delineated in the Regulations. Any part or parcel of this tract has been utilized for density to support dwellings shown thereon shall not be further divided, subdivided or developed for additional dwellings or any purpose other than that indicated on said plan. Utilization will have occurred when a dwelling is constructed and transferred for the purpose of occupancy.

18. CURB CUT NOTE: The exact location of curb cuts for driveway or parking pad entrances is to be determined by owner when exact building models become available but prior to installation of street curbs.

19. CRG PLAN NOTE: This development plan complies with the 1st Revised CRG Plan and all CRG comments.

20. RC5 SETBACK NOTE: ALL BUILDINGS SHALL BE AT LEAST 75 FT FROM ANY STREET CENTERLINE AND 50FT FROM ANY LOT LINE

PRINT DATE
MAY 23 1995
KCW CONSULTANTS, INC.



STATE OF MARYLAND JEFFREY JAMES DEAN No. 17123 REGISTERED PROFESSIONAL ENGINEER

PROFESSIONAL ENGINEER EDWARD STANISLAUS HOPE No. 20668 STATE OF MARYLAND

KCW CONSULTANTS, INC.
Civil Engineers & Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore Maryland 21244
(410) 281-0030 / 281-0033

OWNER APPLICANT:

R. BRIAN & CATHERINE S. HESS
11013 BLUESTONE RD.
KINGSVILLE, MD. 21087
DEED REF. 9732/356, TAX ACCNT. № 22-00-003038

HENRY J. FISCHER
8215 GREENHOUSE LANE
KINGSVILLE, MD. 21087
DEED REF. 6832/421, TAX ACCNT. № 11-02-057281

RONALD J. & LINDA M. SCHOTT
11014 BLUESTONE RD.
KINGSVILLE, MD. 21087
DEED REF. 9281/178, TAX ACCNT. № 22-00-003040

SOIL TYPES & LIMITATIONS (BALTO.Co. SOIL SURVEY MAP No. 31)

SOIL TYPE	SOIL TYPE	HYDRO SOIL GROUP	SINGLE FAMILY DWGS W/BASEMENTS	STREETS	SEPTIC FILTER FIELD
AV	ALLUVIAL LAND	D	SEVERE	SEVERE	SEVERE
CkB2	CHILLUM-HEDGMANTOWN SILT LOAM	C	SLIGHT	MODERATE : SLOPE	SLIGHT TO MODERATE
DcB	DELANCO SILT LOAM	C	MODERATE	MODERATE: SLOPE	SEVERE
LeB2	LEGORE SILT LOAM	C	SLIGHT	MODERATE: SLOPE	SLIGHT
LeC2	LEGORE SILT LOAM	C	MODERATE : SLOPE	SEVERE : SLOPE	MODERATE : SLOPE
LgC3	LEGORE-SILTY CLAY LOAM	C	MODERATE: SLOPE	SEVERE : SLOPE	MODERATE : SLOPE
LfD	LEGORE-STONY SILT LOAM	C	SEVERE : SLOPE	SEVERE : SLOPE	SEVERE : SLOPE
LgD3	LEGORE-SILTY CLAY LOAM	C	SEVERE : SLOPE	SEVERE : SLOPE	SEVERE : SLOPE

RECOMMENDED MODERATE AND SEVERE SOIL CONDITIONS

MITIGATIVE MEASURES

1. SEPTIC FILTER FIELD AND SEPTIC ELEVATED AREAS WILL BE PLACED IN SLOPES WHICH EXCEED 25% PER DEPRM.

2. SINGLE FAMILY DWELLINGS WITH BASEMENTS AND AND STREETS.

A. GRADING STYLE AND RECOMMENDATIONS OF SCS ENGINEER WILL BE ADHERED TO IN CONSTRUCTION OF ROADS AND HOUSES. HOUSES WILL BE [illegible] TO MINIMIZE GRADES AND MINIMIZE STABILIZED FOR GRADING AND SEDIMENT CONTROL PLAN.

DATE	REVISIONS
5-19-95	FOR APPROVAL
6-30-94	FINAL DEVELOPMENT PLAN.
7-31-89	REVISE PER DEPARTMENTAL COMMENTS 5/12/89 [illegible]
4-12-89	REVISED PER CRG COMMENTS 3/14/89
4-7-89	REVISED PER DEPARTMENTAL COMMENTS [illegible]
11/16/88	ADD FUTURE ROADWAY.
8/10/88	ELIMINATE PARCEL A AND SHOW AS REMAINING LAND
8/10/88	SHOW L/D AREAS, LOT 3 PROP WELL LOC., LOT 4 AND
8/10/88	LOT 1-4 SHOW SEPTIC SYSTEMS
8/10/88	LOT 2 EX. WELL, LOT 3 WELL & S.D.A., LOT 4 PROP. LOC.

OFFICE OF PLANNING AND ZONING
APPROVED BY

DIRECTOR OF PLANNING — DATE
for
DIRECTOR OF ZADM — DATE 5/31/95

FINAL DEVELOPMENT PLAN

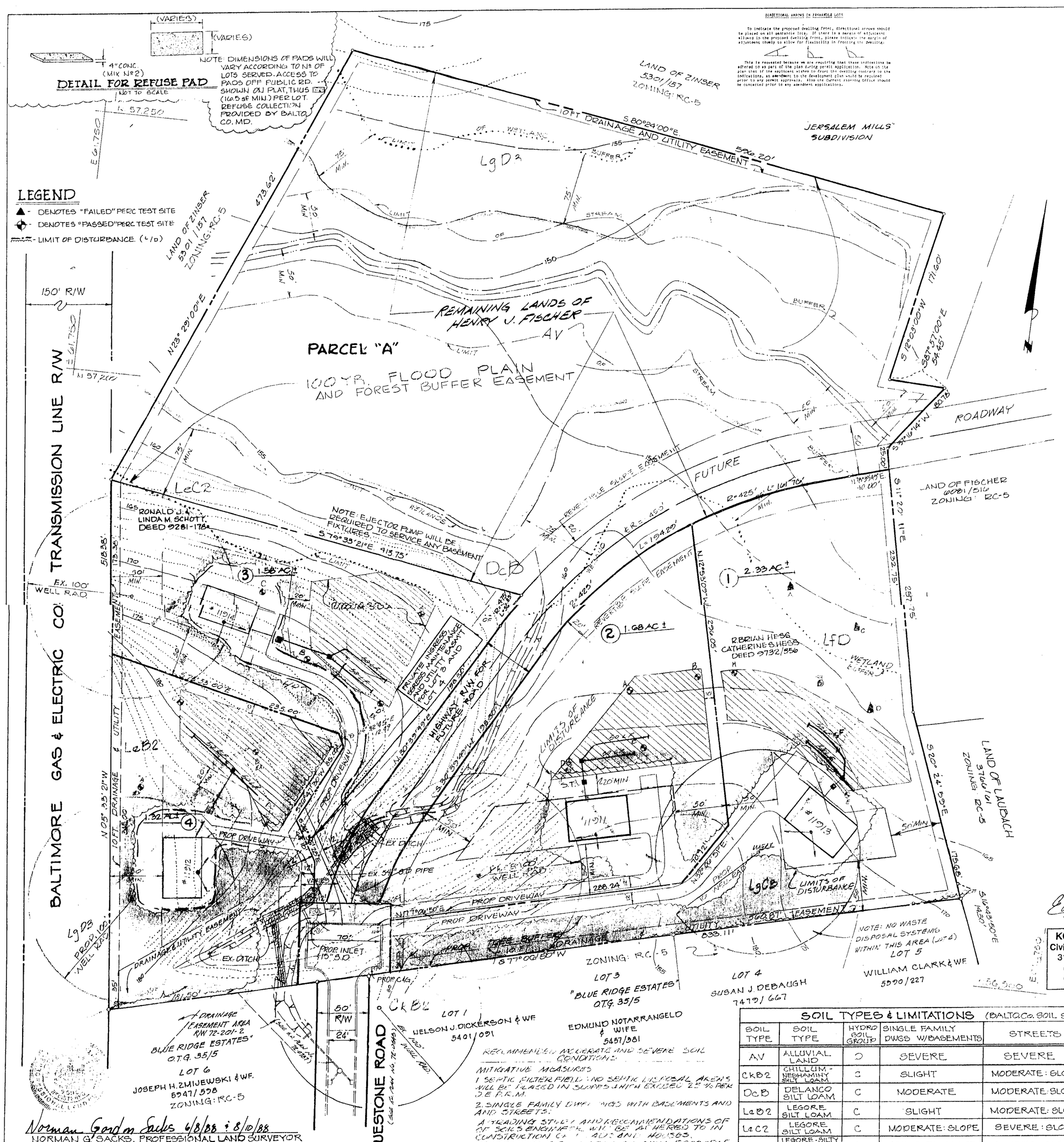
XI-514

LANDS OF
MR. HENRY FISCHER
ELECTION DISTRICT 11
BALTIMORE COUNTY, MD.

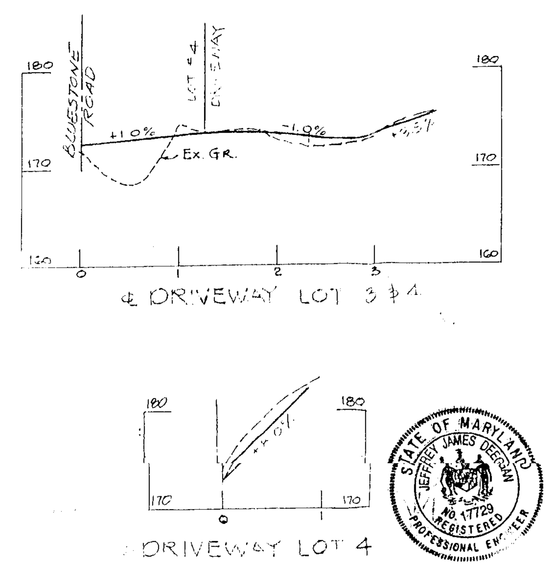
RECEIVED MAY 24 1995 BALTIMORE COUNTY ZADM OFF.

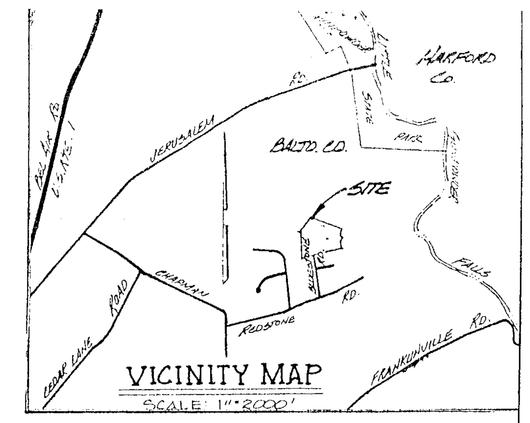
SCALE: 1" = 50'	JANUARY 31, 1994	DWG. No. G-1
PUBLIC SERVICES C.R.G. No. 88102	PLANNING No. SHEET 1 OF 1	

PETITIONER'S EXHIBIT NO. 05-314 SPH



PETITIONER'S EXHIBIT NO. #2 05-314 SPH





GENERAL NOTES

1. PROPERTY AREA:

Lot 1 Area =	2.32 ac.±
Lot 2 Area =	1.68 ac.±
Lot 3 Area =	1.58 ac.±
Lot 4 Area =	1.32 ac.±
Proposed Road R/W	0.15 ac.±
Future Road R/W	0.8 ac.±
Remaining Lands and Flood Plain	5.8 ac.±
Gross Area	13.78 ac.±

2. ELECTION DISTRICT: 11
CORNOMATIC DISTRICT: 5
CENSUS TRACT: 4111.02
WATERSHED: Lower Gunpowder
SUBSEWERSHED: None

3. EXISTING LAND USE: Woodland
No slopes exceed 25%
PROPOSED LAND USE: Single Family Detached Residential Lots

4. ZONING: RC-5
DENSITY CALCULATIONS: Allowed 0.667 x 13.776 = 9.2
Proposed 4 Dwelling Units plus One Parcel
PARKING SPACES: Off Street Parking Provided 2 p.s. per Unit
MINIMUM LOT AREA: 1.0 Acre
MINIMUM SETBACKS: Front 75' from Centerline Right-of-Way or 50' from Property Line
Side and Rear 50' from Property Line
All lots are for sale

5. All lots are to be served by private wells and septic systems.

6. Boundary survey prepared by Norman G. Sacks Associates, Inc.
Topography based on aerial photography and partial field run topographic survey.
BENCH MARK: Baltimore County X-0062 Elevation 256.58
7/8" iron pipe N.E. corner of bend in Chapman Road, 8' off edge of Macadam.

7. PANHANDLE LOTS:
a. Refuse collection, snow removal and road maintenance provided to the junction of the panhandle and street.
b. Concrete pads shall be provided at the curb line for mail and refuse collection.
c. Declaration of right of ways and maintenance agreements for panhandle lots shall be recorded in the Land Records of Baltimore County at the time of recordation of the record plat.
d. Panhandle driveways shall be 16' wide paved with 2" bituminous concrete (Band SN) placed on 8" of CR6 base.

8. FLOODPLAIN: The existing stream is field located and the determination of the 100-year floodplain shown hereon has been approved by the Department of Public Works. No impact to floodplain is proposed.

9. STORMWATER MANAGEMENT: A variance from peak quantity management and water quality management was granted April 19, 1988. This waiver is for development of the four residential lots only and does not apply to future roadway.

10. GRADING: A grading permit will be required for all roadway storm drain, and [illegible] excavation. A State Permit may be required. No more than 15% of any lot may be covered by [illegible].

11. Estimated A.D.T. = 12.4 x 4 = 50 A.D.T.

12. LANDSCAPE PLAN: A final landscape plan shall be approved by Office of Planning [illegible] Issuance of Building Permits.

13. There are no known archaeological sites, endangered species habitats, hazardous material sites, historical buildings, existing wells, or existing septic systems on this property.

14. OPEN SPACE: None required in RC-5 zone.

15. WETLANDS: Wetlands shown hereon are field delineated, field surveyed and approved by D.E.P.R.M. No Development is allowed in field delineated wetlands and fifty foot stream buffer. No further disturbance is allowed within the borders of the wetland and wetland buffers, and there shall be no further use of the stream crossing for any activity. Site access must be from Bluestone Road. Purchasers of properties must be notified in writing prior to purchase that the wetlands are a protected area. They may not be drained, filled, cleared or otherwise disturbed. Restrictive covenants shall be recorded in the deeds of all lots governing the use of wetlands and wetland buffers.

16. ACCESSORY STRUCTURES: Building envelopes shown hereon are for the location of principal buildings only. Accessory structures, fences and projections into yards may be constructed outside the envelope, but must comply with Sections 400 and 301 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building permits.) Accessory structures, fences and projections into yard cannot be located in flood plain areas or hydric soils.

17. DIRECTOR OF ZADM NOTE: This development plan is approved by the Director of ZADM based on his interpretation of the Zoning Regulations, that it complies with present policy and bulk controls as they are delineated in the Regulations. Any part or parcel of this tract has been utilized for density to support dwellings shown thereon shall not be further divided, subdivided or developed for additional dwellings or any purpose other than that indicated on said plan. Utilization will have occurred when a dwelling is constructed and transferred for the purpose of occupancy.

18. CURB CUT NOTE: The exact location of curb cuts for driveway or parking pad entrances is to be determined by owner when exact building models become available but prior to installation of street curbs.

19. CRG PLAN NOTE: This development plan complies with the 1st Revised CRG Plan and all CRG comments.

20. RC 5 SETBACK NOTE: ALL BUILDINGS SHALL BE AT LEAST 75 FT FROM ANY STREET CENTERLINE AND 50 FT FROM ANY LOT LINE

PRINT DATE
MAY 23 1995
KCW CONSULTANTS, INC.

STATE OF MARYLAND — JEFFREY JAMES BERGMAN — No. 17728 — REGISTERED PROFESSIONAL ENGINEER

PROFESSIONAL ENGINEER — EDWIN STANISLAUS KONE III — STATE OF MARYLAND

Edwin Kone

KCW CONSULTANTS, INC.
Civil Engineers & Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore Maryland 21244
(410) 281-0030 / 281-0033

OWNER APPLICANT:

R. BRIAN & CATHERINE S. HESS
11913 BLUESTONE RD
KINGSVILLE, MD. 21087
DEED REF. 9732/356, TAX ACCNT № 22-00-003038

HENRY J. FISCHER
8215 GREENHOUSE LANE
KINGSVILLE, MD. 21087
DEED REF. 6132/421, TAX ACCNT. № 11-02-057281

RONALD J. & LINDA M. SCHOTT
11914 BLUESTONE RD
KINGSVILLE, MD. 21087
DEED REF. 9281/178, TAX ACCNT № 22-00-003040

SOIL TYPES & LIMITATIONS (BALTIMORE CO. SOIL SURVEY MAP No. 31)

SOIL TYPE	SOIL TYPE	HYDRO SOIL GROUP	SINGLE FAMILY DWGS W/BASEMENTS	STREETS	SEPTIC FILTER FIELD
AV	ALLUVIAL LAND	D	SEVERE	SEVERE	SEVERE
CkB2	CHILLUM-NESHAMINY SILT LOAM	C	SLIGHT	MODERATE: SLOPE	SLIGHT TO MODERATE
DcB	DELANCO SILT LOAM	C	MODERATE	MODERATE: SLOPE	SEVERE
LeB2	LEGORE SILT LOAM	C	SLIGHT	MODERATE: SLOPE	SLIGHT
LeC2	LEGORE SILT LOAM	C	MODERATE: SLOPE	SEVERE: SLOPE	MODERATE: SLOPE
LgC3	LEGORE-SILTY CLAY LOAM	C	MODERATE: SLOPE	SEVERE: SLOPE	MODERATE: SLOPE
LfD	LEGORE-STONY SILT LOAM	C	SEVERE: SLOPE	SEVERE: SLOPE	SEVERE: SLOPE
LgD3	LEGORE-SILTY CLAY LOAM	C	SEVERE: SLOPE	SEVERE: SLOPE	SEVERE: SLOPE

RECOMMENDED: MODERATE AND SEVERE SOIL CONDITIONS

MITIGATIVE MEASURES
1. SEPTIC FILTER FIELD: NO SEPTIC DISPOSAL AREAS WILL BE PLACED IN SLOPES WITH EXCESS 25% PER D.E.P.R.M.
2. SINGLE FAMILY DWELLINGS WITH BASEMENTS AND AND STREETS:
A GRADING STUDY AND RECOMMENDATIONS OF SOIL ENGINEERS WILL BE ADHERED TO IN CONSTRUCTION OF ROADS AND HOUSES. SLOPES WILL BE [illegible] TO MINIMIZE ERODABLE GRADES AND IMMEDIATELY STABILIZED PER GRADING AND SEDIMENT CONTROL PLAN.

DATE	REVISIONS
5-10-95	FOR [illegible]
6-30-94	FINAL DEVELOPMENT PLAN.
7-31-89	REVISE PER D.E.P.R. COMMENTS 5-12-89 [illegible]
4-24-89	REVISED PER C.R.G. COMMENTS 3-14-89
4-7-89	REVISED PER PRELIM. CRG COMMENTS (4-7-89)
11-14-88	ADD FUTURE ROADWAY.
8/10/88	ELIMINATE PARCEL A & D, SHOW AS REMAINING LAND
8/10/88	SHOW L/D AREAS, LOT 3 PROP. WELL LOC., LOT 3 & 4
8/10/88	LOT 1 & 2 SHOW SEPTIC SYSTEMS
8/10/88	LOT 2 EX. WELL, LOT 3 WELL & D.A., LOT 4 PROP. LOC.

Norman Gordon Sacks 6/8/88 & 8/10/88
NORMAN G. SACKS, PROFESSIONAL LAND SURVEYOR
REG. No. 9698
P.O. BOX 556
BEL AIR, MD. 21014
PHONE: 668-6560

OFFICE OF PLANNING AND ZONING
APPROVED BY:

DIRECTOR OF PLANNING — DATE 5/31/95
for
DIRECTOR OF ZADM — DATE

FINAL DEVELOPMENT PLAN

XI-514 LANDS OF
MR. HENRY FISCHER
ELECTION DISTRICT 11
BALTIMORE COUNTY, MD.

RECEIVED MAY 24 1995 BALTIMORE COUNTY ZADM DIV.

SCALE: 1"=50'	JANUARY 31, 1994	DWG. No. G-1
PUBLIC SERVICES CRG No. 88102	PLANNING No. SHEET 1 OF 1	

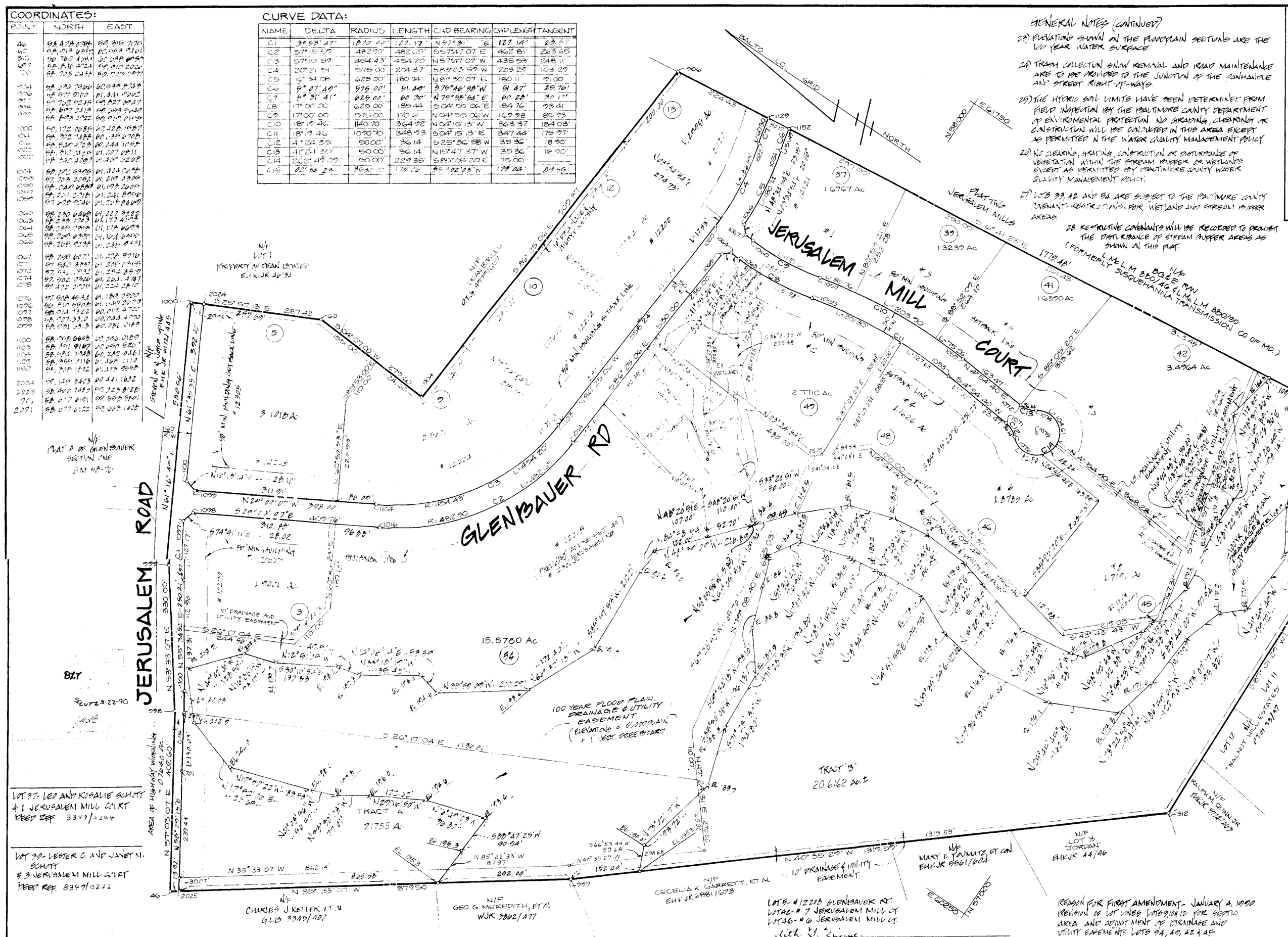
PETITIONER'S EXHIBIT NO. #2 05-314 SPH

COORDINATES:

POINT	NORTH	EAST
[illegible]	[illegible]	[illegible]

CURVE DATA:

NAME	DELTA	RADIUS	LENGTH	CHD BEARING	CHD LENGTH	TANGENT
C1	34°53'47"	1870.00'	127.12'	N 57°31'[illegible]"E	127.10'	63.67'
C2	57°16'59"	482.00'	482.00'	S 57°47'07"E	462.81'	263.55'
C3	57°16'59"	454.43'	454.20'	N 57°47'07"W	435.58'	248.11'
C4	20°21'54"	575.00'	204.37'	S 84°23'57"W	203.29'	103.39'
C5	16°54'08"	625.00'	180.21'	N 84°30'07"E	180.11'	91.00'
C6	6°07'40"	976.00'	91.40'	S 79°46'58"W	91.47'	45.76'
C7	4°31'41"	625.00'	49.39'	N 76°46'56"E	49.28'	24.69'
C8	17°00'30"	625.00'	185.44	S 64°55'06"E	184.76'	93.41'
C9	17°00'00"	975.00'	289.26'	N 64°55'06"W	288.28'	145.93'
C10	18°19'46"	1140.70'	364.92'	N 64°15'13"W	363.37'	184.03'
C11	18°19'46"	1090.70'	348.93'	S 64°15'13"E	347.44'	175.97'
C12	4°21'35"	500.00'	36.14'	S 25°36'58"W	35.36'	18.07'
C13	4°21'35"	500.00'	36.14'	N 16°47'37"W	35.36'	18.07'
C14	262°49'00"	50.00'	229.35'	S 89°26'20"E	76.00'	
C15	82°56'24"	40.00'	57.91'	[illegible]	53.00'	34.95'



GENERAL NOTES (CONTINUED)

28) ELEVATIONS SHOWN ON THE FLOODPLAIN SECTIONS ARE THE 100 YEAR WATER SURFACE

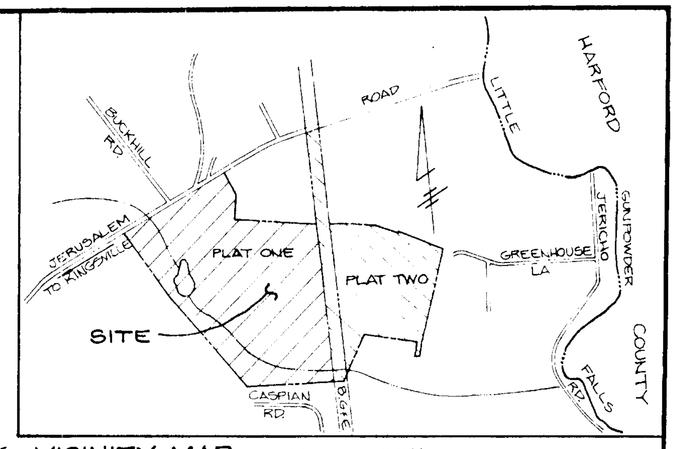
29) TRASH COLLECTION SNOW REMOVAL AND ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF THE SHARONDALE AND STREET RIGHT-OF-WAYS.

29) THE HYDRIC SOIL LIMITS HAVE BEEN DETERMINED FROM FIELD INSPECTION BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION. NO GRADING, CLEARING OR CONSTRUCTION WILL BE CONDUCTED IN THIS AREA EXCEPT AS PERMITTED IN THE WATER QUALITY MANAGEMENT POLICY

29) NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION WITHIN THE STREAM BUFFER OR WETLANDS EXCEPT AS PERMITTED BY BALTIMORE COUNTY WATER QUALITY MANAGEMENT POLICY.

27) LOTS 33 & 34 ARE SUBJECT TO THE BALTIMORE COUNTY SUBDIVIDER RESTRICTIONS FOR WETLAND AND STREAM BUFFER AREAS.

28 RESTRICTIVE COVENANTS WILL BE RECORDED TO PROHIBIT THE DISTURBANCE OF STREAM BUFFER AREAS AS SHOWN ON THIS PLAT.



VICINITY MAP SCALE: 1" = 1000'

GENERAL NOTES

1. HIGHWAY AND HIGHWAY WIDENING, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, ACCESS EASEMENTS, AND OPEN SPACE MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED UNTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE OWNER, HIS PERSONAL REPRESENTATIVE AND ASSIGNS SHALL CONVEY SAID AREAS FEE FREE, TO BALTIMORE COUNTY, MARYLAND, AT NO COST.

2) STREETS AND/OR ROADS SHOWN HEREON AND MENTION THEREOF IN DEEDS ARE FOR PURPOSES OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.

3) THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 22-68.

4) THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.

5) THE INFORMATION SHOWN HEREON MAY BE SUPERCEDED BY A SUBSEQUENT OR AMENDED PLAT.

6) ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING & ZONING AND THE DEPARTMENT OF PUBLIC WORKS.

7) THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THE PLAT.

8) THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES CONTAINED IN THE WATER QUALITY MANAGEMENT POLICY.

9) PLAN OF JERUSALEM MILLS WAS APPROVED ON 3-10-88.

10) GROSS AREA = 119.0096 Ac. ZONED RC-5

11) NET AREA = 115.0087 Ac.

12) DWELLING UNITS ALLOWED = 115.00 Ac. x .667 = 77

13) DWELLING UNITS PROPOSED: 38 UNITS (INCLUDES 1 EX. LOT AND TRACTS A & B)

14) PARKING SPACES REQUIRED = 38 x 2 = 76

15) PARKING SPACES PROPOSED = 76

16) OPEN SPACE REQUIRED = NONE

17) TAX ACCOUNT № 11-02-087275 - EDITH B. ZINGER
№ 21-30-019042 - SHARONDALE INC

18) DEED REFERENCES - 5321/187 - EDITH B. ZINGER
8275/393 - SHARONDALE INC

19) AREA THIS SHEET = 75.32 Ac.

20) № OF LOTS THIS SHEET = 19

21) AREA OF HIGHWAY WIDENING JERUSALEM ROAD = 0.5900 Ac.

22) EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING. EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY.

23) ELEVATIONS SHOWN ON THE FLOOD PLAIN SECTIONS ARE THE 100 YR WATER SURFACE ELEVATION PLUS 1' VERTICAL FREEBOARD

24) TAX ACCOUNT NO. 21-00-014474 - NO 21-00-014514

FIRST AMENDED PLAT ONE OF TWO

JERUSALEM MILLS

ELECTION DISTRICT 11C5 — BALTIMORE CO., MD.

SCALE: 1" = 100' — FEBRUARY 28, 1989

PREVIOUSLY RECORDED AS SM 61/19

REASON FOR FIRST AMENDMENT - JANUARY 4, 1990
REVISION OF LOT LINES TO REFLECT SEPTIC AREA AND ADJUSTMENT OF DRAINAGE AND UTILITY EASEMENTS LOTS 34, 40, 42 & 45

APPROVED: [signature] 7-27-90
DIRECTOR DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT — DATE

APPROVED: — DIRECTOR OF PLANNING AND ZONING — DATE

APPROVED: — DIRECTOR OF PUBLIC WORKS — DATE

OWNER
SHARONDALE INC.
2411 EAST JOPPA RD
BALTIMORE, MARYLAND 21234
(301) 529-4609

EDITH B. ZINGER
11607 CEDARLANE KINGSVILLE, MD 21087
(301) 692-2921

NOTE:
COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERENCED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE FOLLOWING TRAVERSE STATIONS:

19008	N 88 600.06	E 604 930.36
19000	N 87 717.26	E 605 979.28

OWNERS CERTIFICATE
THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, HEREBY CERTIFIES THAT TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENTS OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND HAVE BEEN COMPLIED WITH, INSOFAR AS SAME CONCERNS THE MAKING OF THE PLAT AND SETTING OF THE MARKERS

ORMSBY S. MARKE, PRESIDENT SHARONDALE INC — DATE

SURVEYOR'S CERTIFICATE
THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF ANNOTATED CODE OF MARYLAND, PARTICULARLY, INSOFAR AS SAME CONCERNS THE MAKING OF THE PLAT AND SETTING OF THE MARKERS.
Ronald Wayne Snider 1-5-90
PROFESSIONAL LAND SURVEYOR № 10321 — DATE

DEC
DEVELOPMENT ENGINEERING CONSULTANTS, INC
SITE ENGINEERS & SURVEYORS
6603 YORK RD BALTIMORE, MARYLAND 21212
(301) 377-2600

COMPUTED: RM DRAWN: RM CHECKED: CAE JO 87-151

P 60153

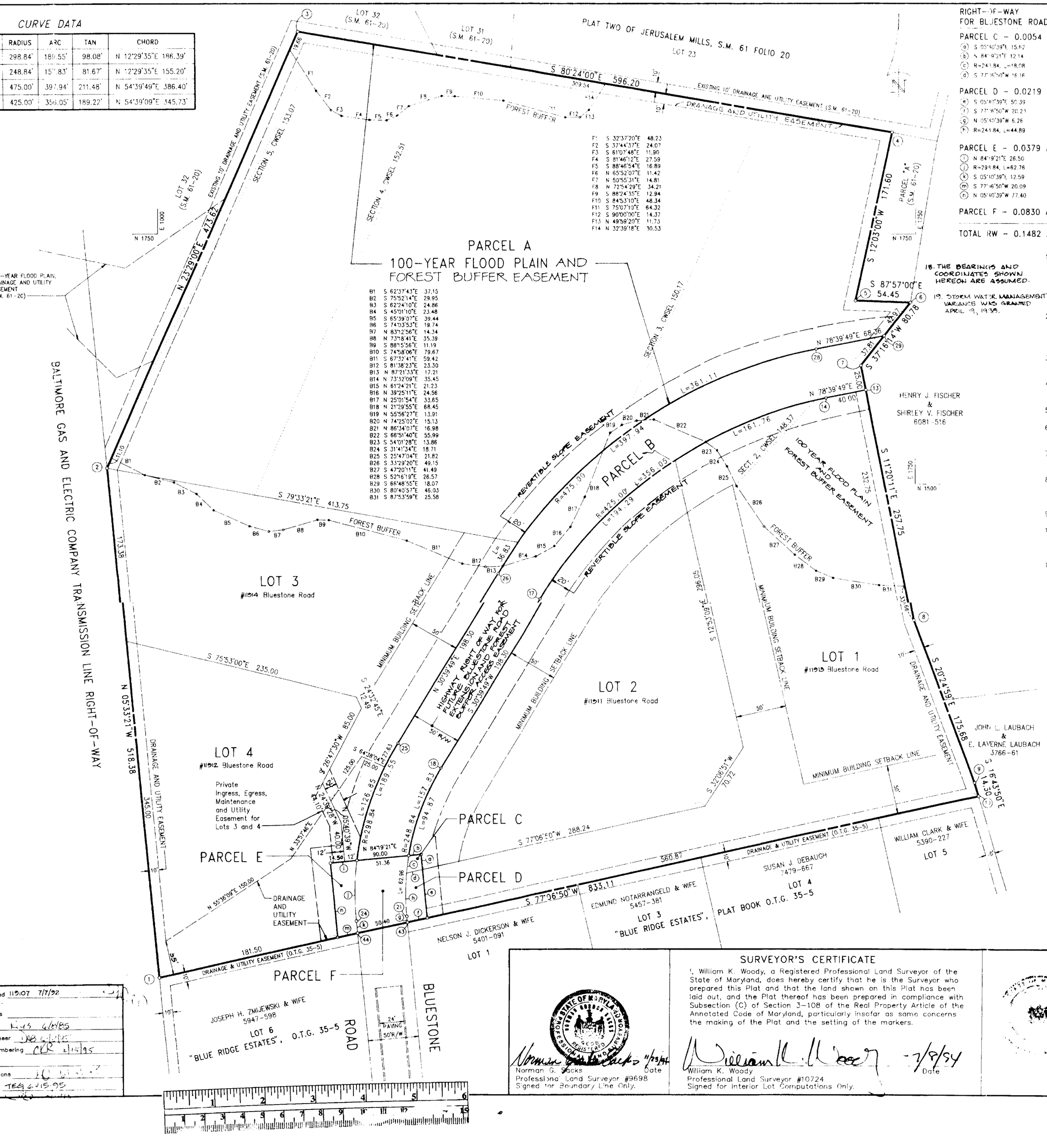
MSA SSU 1236-9850

COORDINATES (ASSUMED)

No.	NORTH	EAST	No.	NORTH	EAST
1	1,000.00	1,000.00	14	1,584.48	1,661.76
2	1,515.94	949.81	17	1,384.53	1,379.73
3	1,950.34	1,138.54	18	1,213.95	1,278.59
4	1,850.97	1,726.39	21	1,062.43	1,245.02
5	1,683.09	1,690.57	24	1,057.48	1,195.27
6	1,681.14	1,744.98	25	1,239.45	1,235.59
7	1,616.86	1,696.07	26	1,410.03	1,336.72
8	1,364.14	1,746.73	28	1,633.51	1,651.93
9	1,199.49	1,808.01	29	1,646.95	1,718.96
10	1,185.80	1,812.13	43	1,056.20	1,245.64
13	1,592.35	1,700.98	44	1,044.96	1,196.51

CURVE DATA

FROM	TO	DELTA	RADIUS	ARC	TAN	CHORD
24	25	36°20'28"	298.84'	189.55'	98.08'	N 12°29'35"E 186.39'
21	18	36°20'28"	248.84'	157.83'	81.67'	N 12°29'35"E 155.20'
26	28	48°00'00"	475.00'	397.94'	211.48'	N 54°39'49"E 386.40'
17	14	48°00'00"	425.00'	356.05'	189.22'	N 54°39'09"E 345.73'



F1 S 32°37'20"E 48.23
F2 S 37°44'31"E 24.07
F3 S 61°07'48"E 11.90
F4 S 81°46'12"E 27.59
F5 S 88°46'54"E 16.89
F6 N 65°52'07"E 11.42
F7 N 50°55'31"E 14.81
F8 N 72°54'29"E 34.21
F9 S 88°24'15"E 12.94
F10 S 84°53'10"E 48.34
F11 S 75°07'19"E 64.32
F12 S 90°00'00"E 14.37
F13 N 49°58'20"E 11.73
F14 N 32°39'18"E 30.53

B1 S 62°37'43"E 37.15
B2 S 75°52'14"E 29.95
B3 S 82°24'10"E 24.86
B4 S 45°01'10"E 23.48
B5 S 65°39'07"E 39.44
B6 S 74°03'53"E 19.74
B7 N 83°52'56"E 14.14
B8 N 73°8'41"E 35.39
B9 S 88°15'56"E 11.19
B10 S 74°8'06"E 79.67
B11 S 67°32'41"E 59.42
B12 S 81°38'23"E 23.30
B13 N 87°31'33"E 17.21
B14 N 73°32'09"E 35.45
B15 N 61°24'21"E 21.23
B16 N 39°25'11"E 24.56
B17 N 25°01'54"E 33.65
B18 N 21°29'55"E 68.45
B19 N 55°56'27"E 13.91
B20 N 74°25'03"E 15.13
B21 N 86°34'07"E 16.98
B22 S 66°51'40"E 55.99
B23 S 54°01'28"E 13.86
B24 S 31°41'34"E 18.71
B25 S 25°47'04"E 21.82
B26 S 33°29'20"E 49.15
B27 S 47°20'11"E 41.49
B28 S 52°16'19"E 26.57
B29 S 66°48'55"E 18.07
B30 S 80°40'57"E 46.03
B31 S 87°53'59"E 25.58

18. THE BEARINGS AND COORDINATES SHOWN HEREON ARE ASSUMED.

19. STORM WATER MANAGEMENT VARIANCE WAS GRANTED APRIL 9, 1998.

RIGHT-OF-WAY FOR BLUESTONE ROAD EXTENSION

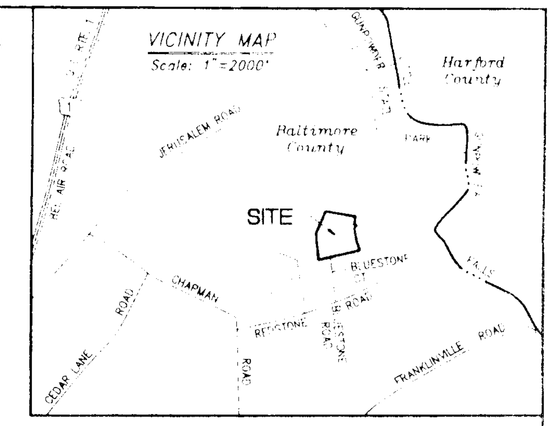
PARCEL C – 0.0054 AC±
(a) S 05°10'39"E 15.82
(b) N 84°9'21"E 12.14
(c) R=243.84, L=18.08
(d) S 77°16'50"W 16.16

PARCEL D – 0.0219 AC±
(e) S 05°10'39"E 50.39
(f) S 77°16'50"W 20.21
(g) N 05°10'39"W 6.26
(h) R=243.84, L=44.89

PARCEL E – 0.0379 AC±
(i) N 84°9'21"E 26.50
(j) R=298.84, L=62.76
(k) S 05°10'39"E 12.59
(m) S 77°16'50"W 20.09
(n) N 05°10'39"W 77.40

PARCEL F – 0.0830 AC±

TOTAL RW – 0.1482 AC±



GENERAL NOTES

1. Highways and highway widenings, slope easements, drainage and utility easements, access easements and forest buffer areas in fee or easement, greenways areas in fee or easements, and stormwater management areas, no matter how entitled, shown hereon, are reserved until the owner and, except for those indicated as private, are hereby offered for dedication to Baltimore County, Maryland. The owner, his personal representatives and assigns will convey said areas by deed, to Baltimore County, Maryland, at no cost.
2. Streets and/or roads shown hereon and the mention thereof in deeds are for purpose of description only, and the same are not intended to be dedicated to public use; the fee simple title to the beds thereof is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.
3. This plat may expire in accordance with the provisions of the Baltimore County Code, Section 26-216.
4. The recording of this plat does not guarantee the installation of Streets or utilities by Baltimore County.
5. The information shown hereon may be superseded by a subsequent or amended plat.
6. Additional information concerning this plat may be obtained from the Baltimore County Office of Planning and Zoning and the Department of Public Works.
7. The recording of this plat does not constitute or imply acceptance by the County of any street, easement, park, open space or other public area shown on the plat.
8. The owner/developer will comply with the best management practices adopted by the Baltimore County Department of Environmental Protection and Resource Management.
9. THE ORG PLAN FOR THE PROPERTY SHOWN ON THIS PLAT APPROVED APRIL 14, 1988 AND THE FIRST REVISED ORG WAS APPROVED ON DEC. 11, 1990
10. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
11. Except as otherwise indicated, all building restriction lines shown hereon have been placed as the result of interpretation only of currently applicable regulations and policies of Baltimore County Office of Planning and Zoning. Exceptions to these restrictions may apply.
12. The area designated as a floodplain includes the area inundated by the 100-year frequency storm and a minimum of 1 foot vertical freeboard. The elevations shown on the floodplain sections are the 100-year design frequency surface elevations.
13. Trash collection, snow removal, and road maintenance are to be provided to the junction of the panhandle and street right-of-way.
14. Soil percolation tests will be valid for a period of five years from the date the record plat is signed by the Director, Department of Environmental Protection and Resource Management. At the expiration of this period, new test may be required.
15. All requirements of the Maryland State Department of the Environment and Baltimore County Department of Environmental Protection and Resource Management pertaining to private water and/or sewage systems must be complied with prior to approval of building applications.
16. OWNERS AND REFERENCES:
    Henry J. Fischer & Shirley M. Fischer
    Deed: 8505-717, Tax Acct. No.: 22-00-003099
    Deed: 6132-471, Tax Acct. No.: 11-02-057281
    Ronald J. Schott & Linda M. Schott
    Deed: 9281-178, Tax Acct. No.: 22-00-003040
    R. Brian Hess & Catherine S. Hess
    Deed: 9732-356, Tax Acct. No.: 22-00-003036
17. AREA:

Lot 4	1.3206 Ac±
Lot 3	1.5839 Ac±
Lot 2	1.6829 Ac±
Lot 1	2.3262 Ac±
Parcel A – 100 YR. FLOOD PLAIN & FOREST BUFFER EASM'T	5.8756 Ac±
Parcel B – HIGHWAY RIGHT OF WAY FOR FUTURE BLUESTONE RD EXTENSION	0.8416 Ac±
Parcels C, D, E, F – Right-of-Way for Bluestone Road Extension:	0.1482 Ac±
Total Plat:	13.7790 Ac±

Filed for record
S.M. 67 FOLIO 111
Date JUN 30 1995
Test: Clerk

NOTE:
Any Forest Buffer Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas.

OWNER'S CERTIFICATE

The undersigned, owner of the land shown on this plat, hereby certifies that, to the best of his/her knowledge, the requirements of Subsection (C) of Section 3-108 of the Real Property Article of the Annotated Code of Maryland, has been complied with, insofar as same concerns the making of the Plat and the setting of the markers.

Henry J. Fischer — Date 9-9-94
Shirley M. Fischer — Date 9-9-94
Ronald J. Schott — Date 11-6-94
Linda M. Schott — Date 9-9-94
R. Brian Hess — Date 8/22/94
Catherine S. Hess — Date 8-29-94

APPROVED FOR THE DEPARTMENT OF PUBLIC WORKS AND THE OFFICE OF PLANNING AND ZONING
Director of Public Works — Date 6/6/95

APPROVED FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
Director of Environmental Protection and Resource Management — Date 6/6/95

PWA completed 11:00 7/7/92
Final plat
Public services
Dev. Design LWB 6/6/95
Dev. Engineer LWB 6/6/95
Streets, numbering CRR 6/15/95
Planning
Land acquisitions
Assessments TEG 6/15/95

SURVEYOR'S CERTIFICATE

I, William K. Woody, a Registered Professional Land Surveyor of the State of Maryland, does hereby certify that he is the Surveyor who prepared this Plat and that the land shown on this Plat has been laid out, and the Plat thereof has been prepared in compliance with Subsection (C) of Section 3-108 of the Real Property Article of the Annotated Code of Maryland, particularly insofar as same concerns the making of the Plat and the setting of the markers.

Norman G. Socks — Date 7/25/94
Professional Land Surveyor #9698
Signed for Boundary Line Only.

William K. Woody — Date 7/8/94
Professional Land Surveyor #10724
Signed for Interior Lot Computations Only.

Subdivision of Properties of

HENRY FISCHER, ET AL

11th Election District
Baltimore County, Maryland

Scale: 1"=50' *Date: June 30, 1994*

KCW Consultants, Inc.
Civil Engineers and Land Surveyors
3104 Timanus Lane
Suite 101
Baltimore, Maryland 21244
(410) 281-0033

COMPUTED: LVB
DRAWN: LVB
CHECKED: WKW
JOB No. 8847

MSA SSL 1236-9261

05-314-SPH (DECORATION)

Q - NE QQ - NW
UU - SE TT - SW

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

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

Joseph Bertaudier
Baltimore County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

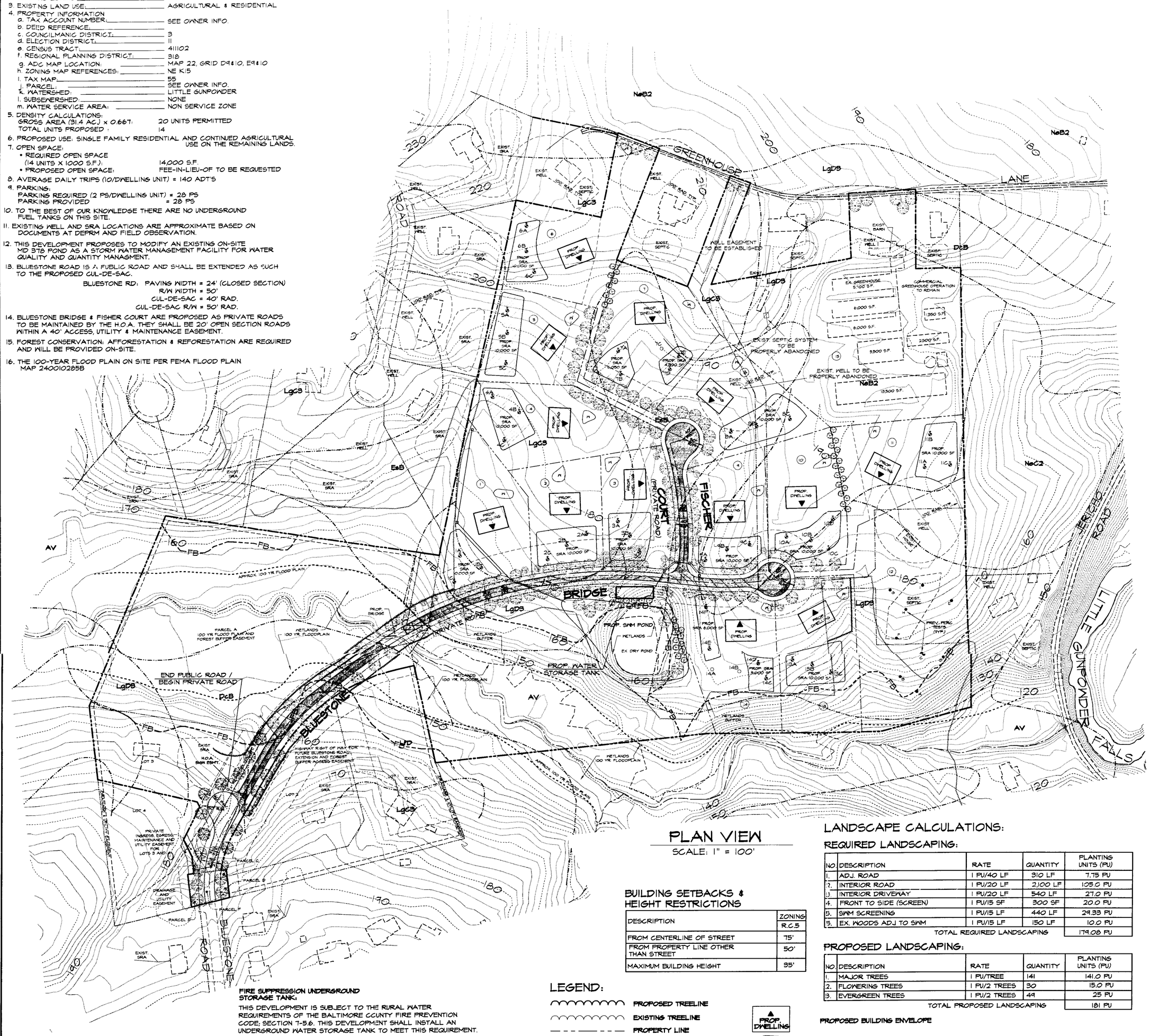
SCALE	LOCATION	SHEET
1" = 200' ±	SOUTH OF JERUSALEM	N. E. 15 - K
DATE OF PHOTOGRAPHY JANUARY 1986		

NE 15 K

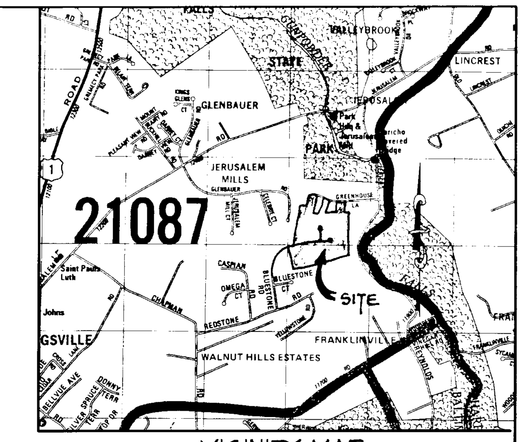
05-304-SPH

SITE DATA / GENERAL NOTES:

1. GROSS ACREAGE: 33.44 ACRES ±
   ACREAGE USED FOR DENSITY - 31.40 AC. (P. 343 & 414)
2. EXISTING ZONING: R.C.5
3. EXISTING LAND USE: AGRICULTURAL & RESIDENTIAL
4. PROPERTY INFORMATION
   a. TAX ACCOUNT NUMBER: SEE OWNER INFO.
   b. DEED REFERENCE:
   c. COUNCILMANIC DISTRICT: 3
   d. ELECTION DISTRICT: 11
   e. CENSUS TRACT: 411102
   f. REGIONAL PLANNING DISTRICT: 318
   g. ADC MAP LOCATION: MAP 22, GRID D9 & 10, E9 & 10
   h. ZONING MAP REFERENCES: NE K15
   i. TAX MAP: 55
   j. PARCEL: SEE OWNER INFO.
   k. WATERSHED: LITTLE GUNPOWDER
   l. SUBSENERSHED: NONE
   m. WATER SERVICE AREA: NON SERVICE ZONE
5. DENSITY CALCULATIONS:
   GROSS AREA (31.4 AC.) x 0.667: 20 UNITS PERMITTED
   TOTAL UNITS PROPOSED : 14
6. PROPOSED USE: SINGLE FAMILY RESIDENTIAL AND CONTINUED AGRICULTURAL USE ON THE REMAINING LANDS.
7. OPEN SPACE:
   • REQUIRED OPEN SPACE (14 UNITS x 1000 S.F.): 14,000 S.F.
   • PROPOSED OPEN SPACE: FEE-IN-LIEU-OF TO BE REQUESTED
8. AVERAGE DAILY TRIPS (10/DWELLING UNIT) = 140 ADT'S
9. PARKING:
   PARKING REQUIRED (2 PS/DWELLING UNIT) = 28 PS
   PARKING PROVIDED = 28 PS
10. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO UNDERGROUND FUEL TANKS ON THIS SITE.
11. EXISTING WELL AND SRA LOCATIONS ARE APPROXIMATE BASED ON DOCUMENTS AT DEPRM AND FIELD OBSERVATION.
12. THIS DEVELOPMENT PROPOSES TO MODIFY AN EXISTING ON-SITE MD 378 POND AS A STORM WATER MANAGEMENT FACILITY FOR WATER QUALITY AND QUANTITY MANAGMENT.
13. BLUESTONE ROAD IS A PUBLIC ROAD AND SHALL BE EXTENDED AS SUCH TO THE PROPOSED CUL-DE-SAC.
    BLUESTONE RD: PAVING WIDTH = 24' (CLOSED SECTION)
    R/W WIDTH = 50'
    CUL-DE-SAC = 40' RAD.
    CUL-DE-SAC R/W = 50' RAD.
14. BLUESTONE BRIDGE & FISHER COURT ARE PROPOSED AS PRIVATE ROADS TO BE MAINTAINED BY THE H.O.A. THEY SHALL BE 20' OPEN SECTION ROADS WITHIN A 40' ACCESS, UTILITY & MAINTENANCE EASEMENT.
15. FOREST CONSERVATION: AFFORESTATION & REFORESTATION ARE REQUIRED AND WILL BE PROVIDED ON-SITE.
16. THE 100-YEAR FLOOD PLAIN ON SITE PER FEMA FLOOD PLAIN MAP 2400102858



PLAN VIEW
SCALE: 1" = 100'



VICINITY MAP
SCALE: 1"=2000'

OWNER / APPLICANT / CONSULTANT:

1. PROPERTY OWNER:	HERNRY J. SHIRLEY V. FISCHER 825 GREENHOUSE LANE KINGSVILLE, MD 21087	HERNRY J. SHIRLEY V. FISCHER 825 GREENHOUSE LANE KINGSVILLE, MD 21087	JOHN D. & KAREN D. FISCHER 8211 GREEHOUSE LANE KINGSVILLE, MARYLAND 21087
PROPERTY ADDRESS / LOCATION / IDENTIFICA"ION:	8223 GREEHOUSE LANE KINGSVILLE, MARYLAND 21087	BLUESTONE ROAD PLAT: SM 67/111 PARCEL A	8211 GREEHOUSE LANE KINGSVILLE, MARYLAND 21087
GROSS ACREAGE:	29.1715 AC.	5.8756 AC.	2.2285 AC.
ZONING:	R.C.5	R.C.5	R.C.5
EX. LAND USE:	AGRICULTURAL	100 YR. FLOODPLAIN & FOREST BUFFER ESMT.	RESIDENTIAL
TAX ACCT. NO:	1700011258	22000 29773	2100004866
DEED REF:	6081/516	NONE	7864/691
TAX MAP:	55	55	55
PARCEL NO:	343	276	414
LOT NO:	NA	NA	NA
PROPERTY OWNER:	MORAN / LUTHER LLC 11619 PHILADELPHIA ROAD WHITEMARSH, MD 21162	RONALD J. & LINDA M. SCHOTT 11414 BLUESTONE ROAD KINGSVILLE, MD 21087	HERNRY J. SHIRLEY V. FISCHER 8215 GREENHOUSE LANE KINGSVILLE, MD 21087
PROPERTY ADDRESS / LOCATION / IDENTIFICA"ION:	GLENBAUER ROAD PLAT: SM 61 / 20 PARCEL A	11414BLUESTONE ROAD KINGSVILLE, MARYLAND 21087	BLUESTONE ROAD PLAT SM 67 / 111 PARCEL "B,C,D,E & F"
GROSS ACREAGE:	0.1903 AC.	1.5834 AC.	0.9848 AC.
ZONING:	R.C.5	R.C.5	R.C.5
EX. LAND USE:	UNIMPROVED	RESIDENTIAL	FUT. R/W FOR BLUESTONE ROAD EXTENSION
TAX ACCT. NO:	2200006426	22000 29773	NONE
DEED REF:	18061 / 677	NONE	NONE
TAX MAP:	55	55	55
PARCEL NO:	422	276	276
LOT NO:	NA	3	NA

2. DEVELOPER / APPLICANT:
   MORAN PROPERTIES LLC
   11619 PHILADELPHIA ROAD
   WHITEMARSH, MARYLAND 21162
   ATTN.: MR. JOSEPH MORAN
3. PLAN PREPARED BY:
   WILSON DEEGAN AND ASSOC. INC.
   2304 BELAIR ROAD :SUITE A
   FALLSTON, MARYLAND 21047
   ATTN.: MR. JEFF DEEGAN P.E.

1
Name: Edward S. & Marie S. McBride
Map: 55 Parcel 386
Tax Acct. No.: 1700002353
Use: Agricultural
Zoning: R.C. 5
Deed Ref.: 5515/335

2
Name: Ronald C. & Cynthia A. Tyszko
Map: 55 Parcel 422 Lot 31
Tax Acct. No.: 2100014508
Use: Residential
Zoning: R.C. 5
Deed Ref.: 8361/563

3
Name: Kenneth F. & Carol Jean Santo
Map: 55 Parcel 151 Lot 1
Tax Acct. No.: 1600004205
Use: Residential
Zoning: R.C. 5
Deed Ref.: 6215/618

4
Name: Joseph H. & Josephine P. Zmijewski
Map: 55 Parcel 151 Lot 6
Tax Acct. No.: 1600004192
Use: Residential
Zoning: R.C. 5
Deed Ref.: 5947/598

5
Name: Laverne E. Laubach
Map: 55 Parcel 41
Tax Acct. No.: 1112002950
Use: Residential
Zoning: R.C. 5
Deed Ref.: 3766/61

6
Name: Marie E. McBride
Map: 55 Parcel 243
Tax Acct. No.: 170002354
Use: Agricultural
Zoning: R.C. 5
Deed Ref.: 5515/338

7
Name: William P. & Linda M. Minarik
Map: 55 Parcel 38
Tax Acct. No.: 1106020425
Use: Residential
Zoning: R.C. 5
Deed Ref.: 9684/478

8
Name: Henry J. & Shirley V. Fischer
Map: 55 Parcel 380
Tax Acct. No.: 1600013879
Use: Residential
Zoning: R.C. 5
Deed Ref.: 9457/422

9
Name: Barbara Ann Julian & Jeffrey F. Pierson, et al
Map: 55 Parcel 365
Tax Acct. No.: 1600005013
Use: Residential
Zoning: R.C. 5
Deed Ref.: 6854/467

10
Name: John T. & Betty F. Josenhans
Map: 55 Parcel 40
Tax Acct. No.: 1110046890
Use: Residential
Zoning: R.C. 5
Deed Ref.: 3337/330

11
Name: Dennis P. & Lisa C. Bolt
Map: 55 Parcel 422 Lot 32
Tax Acct. No.: 2100014509
Use: Residential
Zoning: R.C. 5
Deed Ref.: 11319/76

12
Name: Bindu D. Kalyani
Map: 55 Parcel 422 Lot 23
Tax Acct. No.: 2200006424
Use: Residential
Zoning: R.C. 5
Deed Ref.: 12215/592

13
Name: Timothy J. & Lisa M. Winter
Map: 55 Parcel 422 Lot 22
Tax Acct. No.: 2200006423
Use: Residential
Zoning: R.C. 5
Deed Ref.: 9218/105

14
Name: David N. & Pauline S. Williams
Map: 55 Parcel 422 Lot 21
Tax Acct. No.:2100014498
Use: Residential
Zoning: R.C. 5
Deed Ref.: 12521/506

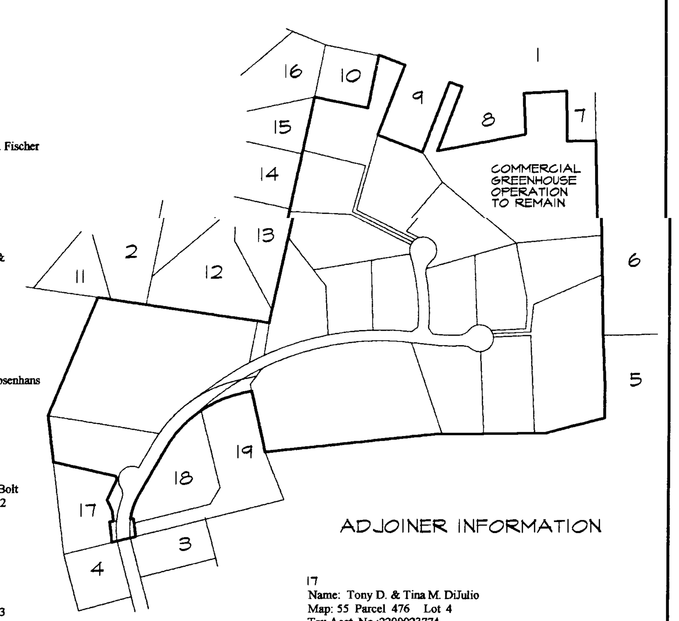
15
Name: Terrence J. & Harriet A. Ward
Map: 55 Parcel 422 Lot 20
Tax Acct. No.: 2100014497
Use: Residential
Zoning: R.C. 5
Deed Ref.: 9021/836

16
Name: Rene G. & Shirley L. Bennett
Map: 55 Parcel 422 Lot 19
Tax Acct. No.: 2100014496
Use: Residential
Zoning: R.C. 5
Deed Ref.: 8457/93

17
Name: Tony D. & Tina M. DiJulio
Map: 55 Parcel 476 Lot 4
Tax Acct. No.:2200023774
Use: Residential
Zoning: R.C. 5
Deed Ref.: 11810/539
Deed Ref.: 11810/536

18
Name: Robert W. & Barbara L. Hester
Map: 55 Parcel 276 Lot 2
Tax Acct. No.:2200023772
Use: Residential
Zoning: R.C. 5
Deed Ref.:11657/639

19
Name: Brian R. & Catherine S. Hess
Map: 55 Parcel 276 Lot 1
Tax Acct. No.:2200023771
Use: Residential
Zoning: R.C. 5
Deed Ref.: none



ADJOINER INFORMATION

LANDSCAPE CALCULATIONS:

REQUIRED LANDSCAPING:

NO.	DESCRIPTION	RATE	QUANTITY	PLANTING UNITS (PU)
1.	ADJ. ROAD	1 PU/40 LF	310 LF	7.75 PU
2.	INTERIOR ROAD	1 PU/20 LF	2,100 LF	105.0 PU
3.	INTERIOR DRIVEWAY	1 PU/20 LF	540 LF	27.0 PU
4.	FRONT TO SIDE (SCREEN)	1 PU/15 SF	300 SF	20.0 PU
5.	SWM SCREENING	1 PU/15 LF	440 LF	29.33 PU
5.	EX. WOODS ADJ. TO SWM	1 PU/15 LF	150 LF	10.0 PU
	TOTAL REQUIRED LANDSCAPING			179.08 PU

PROPOSED LANDSCAPING:

NO.	DESCRIPTION	RATE	QUANTITY	PLANTING UNITS (PU)
1.	MAJOR TREES	1 PU/TREE	141	141.0 PU
2.	FLOWERING TREES	1 PU/2 TREES	30	15.0 PU
3.	EVERGREEN TREES	1 PU/2 TREES	49	25 PU
	TOTAL PROPOSED LANDSCAPING			181 PU

BUILDING SETBACKS & HEIGHT RESTRICTIONS

DESCRIPTION	ZONING R.C.5
FROM CENTERLINE OF STREET	75'
FROM PROPERTY LINE OTHER THAN STREET	50'
MAXIMUM BUILDING HEIGHT	35'

LEGEND:

- PROPOSED TREELINE
- EXISTING TREELINE
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- RIGHT-OF-WAY LINE
- EXISTING OVERHEAD UTILITIES
- 620 EXISTING CONTOUR
- EASEMENT
- BUILDING SETBACK LINE
- EXISTING STRUCTURE
- EXIST. WELL
- EXISTING WELL LOCATION
- EXISTING UTILITY TOWER
- EXIST. SRA
- EXISTING SEPTIC RESERVE AREA
- PROP. DWELLING — PROPOSED BUILDING ENVELOPE
- W — PROPOSED WELL AREA
- 1A 1B 1C — PROPOSED SEPTIC RESERVE AREA 10,000 S.F. MINIMUM WITH PERC TEST LOCATIONS
- PROPOSED MAJOR TREE (15' RAD)
- PROPOSED FLOWERING TREE (8' RAD)
- PROPOSED EVERGREEN TREE (8' RAD)
- FB — FOREST BUFFER
- NeC2 — BALTIMORE COUNTY SOILS
- R.C.5 — BALTIMORE COUNTY ZONING

SOILS CHART

SOIL SERIES	SEPTIC SYSTEM LIMITATIONS	HOME SITE LIMITATIONS		LIMITATIONS - STREETS AND PARKING LOTS	HYDRIC SOIL	SOIL GROUP	SOIL ERODIBILITY K FACTOR	SLOPES
		WITH BASEMENT	WITHOUT BASEMENT					
EhB2 Elkton	SLIGHT	SLIGHT	SLIGHT	MODERATE	N	C	0.32	3-8%
EhC2 Elkton	MODERATE	MODERATE	MODERATE	SEVERE	N	C	0.32	8-15%
EkC3 Elkton	MODERATE	MODERATE	MODERATE	SEVERE	N	C	0.28	8-15%
GvC2 Glenelg	MODERATE	MODERATE	MODERATE	SEVERE	N	B	0.32	8-15%
HaC2 Hatboro	MODERATE	MODERATE	MODERATE	SEVERE	N	B	0.37	8-15%

FIRE SUPPRESSION UNDERGROUND STORAGE TANK:
THIS DEVELOPMENT IS SUBJECT TO THE RURAL WATER REQUIREMENTS OF THE BALTIMORE COUNTY FIRE PREVENTION CODE: SECTION 7-5.6. THIS DEVELOPMENT SHALL INSTALL AN UNDERGROUND WATER STORAGE TANK TO MEET THIS REQUIREMENT.

NO.	DATE	DESCRIPTION	BY

Wilson Deegan & Associates, Inc.
SURVEYORS * ENGINEERS
2304 Bel Air Road
Fallston, Maryland 21047
PHONE: (410) 879-3700

SCALE: AS SHOWN	DATE: NOVEMBER, 2003
JOB NO: 02142	DRAWN / DESIGN BY: MR / JD
SHEET: 1 of 1	CHECKED BY: WDA

CONCEPT PLAN
(SITE PROPOSAL MAP)
FISCHER PROPERTY

COUNCILMANIC DISTRICT 5
11 TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
OWNER
HENRY J. FISCHER
8223 GREENHOUSE LANE
KINGSVILLE, MARYLAND 21087

IN RE: **DEVELOPMENT PLAN HEARING & PETITIONS FOR SPECIAL HEARING** - N/End Bluestone Road, S of Greenhouse Lane, E of Chapman Road & N of Redstone Road **(Fischer Property – Bluestone Road)** 11th Election District – 3rd Council District	* BEFORE THE
	* ZONING COMMISSIONER
	* OF BALTIMORE COUNTY
	* **Cases Nos. XI-956, 05-314-SPH, 05-315-SPH**
Henry J. Fischer, et al, Owners; Kingsmill, LLC, Developer	*

AMENDED DEVELOPMENT PLAN ORDER

WHEREAS, this matter came before this Hearing Officer/Zoning Commissioner for a combined public hearing, pursuant to Section 32-4-230 of the Baltimore County Code (BCC). The Owners/Developers sought approval of a four-page, redlined development plan for the proposed residential development of the subject property with 14 single-family detached dwelling units, one of which is existing. In addition, Petitions for Special Hearing were filed in companion cases Nos. 05-314-SPH and 05-315-SPH, requesting amendments to previously approved Final Development Plans (FDPs) for the "Lands of Mr. Henry Fischer" and "Jerusalem Mills," as more particularly described within the respective Petitions.

By Opinion and Order dated May 27, 2005, the undersigned Zoning Commissioner approved the development plan and the Petitions for Special Hearing, contingent upon the Petitioners closing the proposed roadway extension of Bluestone Road. In the event the roadway could not be closed, the approval allowed the development plan and the FDPs to be revised accordingly.

Subsequent to the issuance of said Order, a timely Motion for Reconsideration was filed by Counsel for the Owners/Developers, citing an omission of two of the requested amendments with respect to the FDP for Jerusalem Mills in Case No. 05-315-SPH. One item requested an amendment to allow "labeling the roadway extension as part of the HOA Common Area and Private Ingress and Egress Easement of the Property" and the second item, an amendment "including the remainder of Parcel A within the boundaries of the adjoining proposed Lot 1 of the Property." So that the Development Plan, the amended FDP for the Lands of Mr. Henry Fischer, and the amended FDP for Jerusalem Mills are consistent with one another, the

ORDER RECEIVED FOR FILING
Date 11/29/05
By

Owner/Developer requests an amendment of the Development Plan Order to include those two items as set forth above.

In addition, this Zoning Commissioner's approval did not specifically state that those parts of the development plan and amendments that do not relate to the proposed extension of Bluestone Road extension are approved, regardless of the outcome of the road closing proceedings. Thus, the Owners/Developers request that the Order be amended to specifically provide such approval, regardless of the outcome of the road closing proceedings. It is further requested that the Order be amended to reflect that if the proposed extension of Bluestone Road is not closed, then the development plan as submitted is approved, with the condition that the extended portion of Bluestone Road shall be designated as a public road. Finally, if the proposed road extension is not approved to be a private road, then the Owners/Developers seek approval of certain amendments as set forth below to the respective FDPs for the Lands of Mr. Henry Fischer and Jerusalem Mills.

In addition to the above amendments, the Owners/Developers request that the language in the Order regarding the storm water management facilities be clarified to reflect that the water flows to either the first or second facility. The first facility is west of the access road prior to the point where the proposed road crosses the stream. Storm water is funneled through gutters, inlets, and storm drains to this facility where water quality management is performed using a sand filter. Channel protection volume management is then performed and the water is finally released over a 12-hour period. The second facility is an existing pond that will function in a similar manner to the first facility, but has also been designed to manage the required 2-, 10-, and 100-year storms.

Upon due consideration of the relief requested within the Motion, I find that the Order issued on May 27, 2005 should be amended to incorporate the additional approvals and clarifying language as set forth above.

THEREFORE, IT IS ORDERED by the Zoning Commissioner/Hearing Officer for Baltimore County this 29th day of June 2005 that the Hearing Officer's Opinion and Development Plan Order issued on May 27, 2005 granting approval of the four-page redlined

development plan for the Fisher Property, submitted into evidence and marked as Developer's Exhibits 7A through 7D, be and the same is hereby **AMENDED to add the following additional approvals and amendments, contingent upon the Developer obtaining approval of its petition to close the road in Case No. RC2005-002;**

IT IS FURTHER ORDERED that the Petition for Special Hearing filed in Case No. 05-314-SPH, pursuant to Section 1B01.3.A.7.b of the B.C.Z.R., seeking approval of amendments to the Final Development Plan for the Lands of Mr. Henry Fischer, in accordance with the plan marked into evidence as Petitioner's Exhibit 2, be and is hereby GRANTED to include the following:

1) Adding a private roadway extension and associated storm drain utilities within the area labeled as "Highway R/W for Future Road" which runs through Parcel A and serves as an access road to the property;
2) Labeling the roadway area and associated right-of-way as part of the HOA Common Area and Private Ingress and Egress Easement of the Property;
3) Including the remainder of Parcel A within the boundaries of the adjoining proposed Lot 1 of the Property;
4) Adding a storm water management device to comply with current regulations, which will control runoff from the impervious surface of the new road;
5) Adding a development sign;
6) Adding a 100-year floodplain, drainage and utility easement and forest conservation easement;
7) Revising the location of wetlands and a forest buffer; and,
8) Adding standard notes prohibiting the disturbance of the Forest Buffer Easements and Forest Conservation Easements without express permission from DEPRM.

IT IS FURTHER ORDERED that the Petition for Special Hearing filed in Case No. 05-315-SPH, pursuant to Section 1B01.3.A.7.b of the B.C.Z.R., seeking approval of amendments

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to the Final Development Plan for "Jerusalem Mills," in accordance with Petitioner's Exhibits 2A through 2C, be and is hereby GRANTED to including the following:

1) Identifying the change in ownership of Parcel A;
2) Adding a private roadway extension that runs through Parcel A, which serves as an access road to the property;
3) Labeling the roadway extension as part of the HOA Common Area and Private Ingress and Egress Easement of the Property;
4) Including the remainder of Parcel A within the boundaries of the adjoining proposed Lot 1 of the Property;
5) Adding a 100-year floodplain, drainage and utility easement and forest conservation easement to be within a portion of Parcel A;
6) Adding wetlands and a forest buffer to Parcel A; and,
7) Adding standard notes prohibiting the disturbance of the Forest Buffer Easements and Forest Conservation Easements without express permission from DEPRM.

IT IS FURTHER ORDERED that those parts of the development plan and the FDPs for the Lands of Mr. Henry Fischer and Jerusalem Mills which do not relate to the proposed road extension, be and are hereby APPROVED, regardless of the outcome of the road closing proceeding. If the road is not closed and it shall be a public road, Petitioners will submit a revised Development Plan and revised FDPs to reflect a public road extension.

IT IS FURTHER ORDERED but for the amendments/changes set forth above, all other terms and conditions of the Order issued May 27, 2005 shall remain in full force and effect.

Any appeal of this decision must be taken in accordance with Articles 32-4-229(B) and 32-4-281 of the Baltimore County Code.

WILLIAM J. WISEMAN, III
Zoning Commissioner/Hearing Officer
for Baltimore County

WJW:bjs

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

June 28, 2005

Jeffrey H. Scherr, Esquire
Mindy Caplan, Esquire
One South Street, 26th Floor
Baltimore, Maryland 21202

RE: **Amended** Development Plan Hearing & Petitions for Special Hearing
(Fischer Property)
Cases Nos. XI-956 & 05-314-SPH & 05-315-SPH

Dear Counsel:

Enclosed please find a copy of the Amended Order issued in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. & Mrs. Henry J. Fischer, 8215 Greenhouse Lane, Kingsville, Md. 21087
Mr. Jeffrey Deegan, 2309 Belair Road, Suite A, Fallston, Md. 21047
J. Carroll Holzer, Esquire, 508 Fairmount Avenue, Towson, Md. 21286
Mr. Rob Loskot, Office of Law; Mr. Walt Smith, DPDM; DEPRM; OP; DPW; R&P; People's Counsel; Case File

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IN RE: **DEVELOPMENT PLAN HEARING & PETITIONS FOR SPECIAL HEARING** N/End Bluestone Road, S of Greenhouse Lane, E of Chapman Rd. & N of Redstone Rd. **(Fischer Property – Bluestone Road)** 11th Election District – 3rd Council District Henry J. Fischer, et al, Owners; Kingsmill, LLC, Developer	* BEFORE THE * ZONING COMMISSIONER * OF BALTIMORE COUNTY * **Cases Nos. XI-956, 05-314-SPH, 05-315-SPH** *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Zoning Commissioner for a combined public hearing, pursuant to Section 32-4-230 of the Baltimore County Code (BCC). That Section permits an applicant to request development plan approval and zoning relief through a single public hearing. Pursuant to the development review regulations codified in Article 32, Title 4 thereof, the Owners/Developers seek approval of a four-page, redlined development plan, prepared by Wilson Deegan & Associates, Inc., for the proposed residential development of the subject property with 14 single-family detached dwelling units, one of which is existing. In addition to development plan approval, the Owners/Developers filed two Petitions for Special Hearing seeking certain zoning relief, pursuant to Sections 500.7 and 1B01.3(A)(7)(b) of the Baltimore County Zoning Regulations (B.C.Z.R.). Specifically, in Case No. 05-314-SPH, the Owners/Developers seek approval of amendments to the Final Development Plan (FDP) for the "Lands of Mr. Henry Fischer" as follows: 1) to reflect a private roadway extension within a portion of the remaining lands, known as Parcel "A" and labeled as "Highway R/W for Future Road" to facilitate a more perpendicular crossing of an existing stream, which road will access the proposed Fischer Property development; to show the roadway area and associated R/W as part of the "HOA Common Area and Private Ingress and Egress Easement" of the Fischer Property; and, to show the remainder of Parcel "A" to be located within the boundaries of the adjoining proposed Lot 1 of the Fischer Property; 2) to add a storm water management device to treat and control the newly proposed impervious surfaces; 3) to amend the forest buffer so that it will be 25 feet from the 100-year floodplain and to relocate a portion of the forest buffer and wetlands; 4) to add a 100-year floodplain, drainage and utility easement and forest conservation

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easement, as required by the Department of Environmental Protection and Resource Management (DEPRM); and, 5) to add a sign at the entrance of the Fischer Property Development. Similar relief is requested under Case No. 05-315-SPH for approval of amendments to the Final Development Plan for "Jerusalem Mills." In that case, relief is requested: 1) to reflect a private roadway extension within a portion of the remaining lands labeled Parcel "A" of Jerusalem Mills, which was recently conveyed to Developers, and to reflect the change in ownership of that parcel; 2) to add a 100-year floodplain, drainage and utility easement, and forest conservation easement within a portion of Parcel "A;" and, 3) to add wetlands and a forest buffer to Parcel "A."

In summary, the purpose of the requested relief is to move the proposed extension of Bluestone Road so that it disturbs less of the attendant stream, to make Bluestone Bridge Road a private road, and to add updated environmental information. The subject property and proposed subdivision are more particularly described on the four-page, redlined development plan submitted and marked into evidence as Developer's Exhibits 7A through 7D, and collectively Petitioner's Exhibits 1 and 2, (Case No. 05-314-SPH), and Petitioner's Exhibits 1A-1C and 2A-2C, (Case No. 05-315-SPH).

This proposal has been reviewed in accordance with the development review regulations codified in Article 32 of the Baltimore County Code. Those regulations establish a process by which development is reviewed through a series of steps or stages. The first step of the process requires that the Developer submit a Concept Plan, which as the name suggests, is a schematic representation of the proposed development. The concept plan is submitted for review at a conference held by and between representatives of the Developer and the County at a Concept Plan Conference (CPC), which in this case was conducted on December 29, 2003. The second step of the process requires a Community Input Meeting (CIM), which is conducted during evening hours at a public facility in the vicinity of the proposed development. The CIM provides an opportunity for residents of the locale to review and offer comment on the proposal. The CIM for this project was held on January 22, 2004 at the Kingsville Volunteer Fire Department. Subsequently, a development plan is submitted for review and comment at a

conference held again between the Developer and County agency representatives. Often the development plan has been revised to incorporate changes suggested at the CPC and/or CIM. The Development Plan Conference (DPC) in this case was held on January 26, 2005. The fourth and final phase of the review process requires a Hearing Officer's Hearing (HOH). The HOH is a public hearing before the Zoning Commissioner/Deputy Zoning Commissioner, and is conducted in accordance with the rules governing administrative hearings in this State. In this case, the Hearing Officer's Hearing was conducted over three days, namely, February 17, 2005, March 25, 2005, and May 13, 2005. As was done in this case, the Hearing Officer's Hearing may be combined with the public hearing required for the requested zoning relief. The Hearing Officer solicits testimony from the Developer, representatives of reviewing County agencies, and neighbors and interested individuals from the community. Issues and concerns are initially identified during an informal phase of the hearing, after which testimony on those issues is then presented in detail. The Hearing Officer is required to issue a written decision within 15 days of the closing date of proceedings. As required, this decision follows.

Appearing on one or more hearing dates in support of the project were Henry J. Fischer and his wife, Shirley M. Fischer; Joseph M. Moran on behalf of Kingsmill, LLC Contract Purchasers/Developers; and Jeffrey Scherr, Esquire, and Mindy L. Caplan, Esquire attorneys for the Owners/Developers. The Developer produced as an expert witness, Jeffrey J. Deegen, a Professional Engineer, who prepared the development plan(s); Donald M. Mitten, Chief Engineer with Richardson Engineering, LLC; Mickey Cornelius, a traffic engineer; and Henry Leskinen, an ecologist.

The requested approval of the proposed development plan was contested. The opponents are generally residents of the neighborhood and include Samuel Talbot, Leigh Keller, Tom and Marilyn Shipley, Vaughn and Candace Cronauer, Dennis & Lisa Bolt, Ronald and Cynthia Tyszko, Robert Hester, Timothy and Lisa Winter, Edward and Marie McBride, Dinah Buck, William and Teresa Albright, John Josenhans, Nick Thrappas, David Williams, John Earnshaw, Mitch Butta, Steven Schulte, Charlotte Pine, John Hannan, Drew Mize, and Anne

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Cottone. J. Carroll Holzer, Esquire represented the Greater Kingsville Civic Association and Laverne Laubach. Numerous representatives of the various Baltimore County agencies who reviewed the plan appeared and or testified at the hearing. They included the following individuals from the Department of Permits and Development Management (DPDM): Donald Rascoe, Deputy Director of DPDM and Walt Smith, Project Manager; Bob Bowling and Rahee Famili, Development Plans Review; Eric Rockel and Don Stires, Land Acquisition; and, Donna Thompson, Zoning Review. Also appearing on behalf of the County were Mark Cunningham, Office of Planning (OP); Lt. Frank Cook, Baltimore County Fire Department; R. Bruce Seeley and John Oltman, Department of Environmental Protection and Resource Management (DEPRM); and Jan Cook, Department of Recreation and Parks (R&P). In addition, written Development Plan Comments are contained within the case file from those agencies.

The subject property under consideration is an irregularly shaped parcel located at the north end of Bluestone Road, south of Greenhouse Lane and Jericho Road near Gunpowder Falls State Park in Kingsville. The Fischers have owned the subject property for many years and used the northernmost portion of the site for their commercial florist business and agricultural operations. The property contains a gross area of 38.38 acres, more or less, zoned R.C.5, and is improved with a single-family dwelling wherein the Petitioners' son, David Fischer, resides, known as 8211 Greenhouse Lane, which will remain as Lot 12. The property contains significant environmental constraints, including floodplains, a stream, wetlands, and steep slopes. Although the acreage of the property and zoning classification would permit up to 20 homes, the Developer proposes only 14, including the one existing. The lots will range in size from a minimum of 1.06 acres (Lot 9) to 6.92 acres (Lot 1). Each lot will be served by private well and septic system. Development of the property will primarily occur in the central and northern portions of the site, owing to the environmental constraints in the southern portion of the tract. Vehicular access to the new lots is proposed by way of a planned extension of Bluestone Road through the Lands of Henry Fischer (Parcel A), which will cross over a stream via a bridge and enter the west side of the property. At that point, a private road, to be known as Bluestone

Bridge Road, will be constructed which will lead into the interior of the site and terminate as a cul-de-sac. A smaller road, to be known as Fischer Court, will be constructed to provide access to the interior lots on the north side of Bluestone Bridge Road.

An extensive volume of testimony and evidence was offered in this case over the three hearing dates. Due to limitations of time and space, it is impossible to repeat all of the testimony offered herein. Additionally, there were numerous documents, photographs, plats, written memoranda, and other exhibits entered into the record of this case. Testimony and evidence offered by both sides as well as the issues raised and arguments advanced were recorded by Esquire Deposition Services.

STANDARD OF REVIEW

A brief comment is in order about the standard of review that the Hearing Officer must apply in this case. As noted in a prior opinion issued by this Office, the development review regulations establish the "rules of the game" insofar as development in Baltimore County. The Developer may argue that these rules are too strict, while the Community may contend that they are not strict enough. Regardless, they are what they are. If the Developer meets the regulations, approval of the plan must follow. Moreover, if the Community can show that the plan should be changed to appropriately mitigate an anticipated negative impact upon the locale, then a restriction/condition to the plan can be imposed.

Pursuant to Sections 32-4-227 and 228 of the Baltimore County Code which regulates the conduct of the Hearing Officer's Hearing, I am first required to identify any outstanding issues or agency comments. The issues and concerns raised at the hearing and in written memorandum are addressed as follows:

DEVELOPER'S ISSUES

At the first Hearing Officer's Hearing on February 17, 2005, the only issue raised by Developer's Counsel was a technical one, dealing with the proposed amendment to designate the now public paper road (Bluestone Road) to one designated and held as a private road. This issue will be dealt with later in this opinion; however, suffice it to say that the previously approved

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Final Development Plan for the Lands of Henry Fischer, recorded some 10 years ago, designated Bluestone Road as a public paper road. The Owners/Developers propose to amend that plan to extend Bluestone Road as a private road (Bluestone Bridge Road) which is a scenario that is supported by the homeowners who currently reside within the remainder of Parcel A of the Lands of Mr. Henry Fischer. The Opponents, on the other hand, believe the road should be extended through Parcel A as a public road.

COUNTY ISSUES

With the exception of the Department of Environmental Protection and Resource Management (DEPRM) and the Office of Planning (OP), the County agency representatives who were present identified no outstanding or unresolved comments and recommended plan approval. On behalf of DEPRM, Bruce Seeley appeared and identified two issues raised by the Groundwater and Stormwater Management Divisions that would require resolution and plan revisions before his Department would recommend approval. Mark Cunningham on behalf of the Office of Planning requested the reorientation of the homes on Lots 6 and 7 and the relocation of trash collection and mailboxes on the panhandle lots.

The issue of whether to extend Bluestone Road as a public or private road was also raised by Don Stires of the Bureau of Land Acquisition. He noted that while the plan complies with all the requirements for development, his office has taken the position that the prior recorded Final Development Plan for the Lands of Henry Fischer created an irrevocable offer of dedication for this road. Thus, they will not consent to an amendment of the plan to now reflect the extension of Bluestone Road as a private road. On the contrary, Robert Bowling, as Chief of the Bureau of Development Plans Review and on behalf of the Department of Public Works, stated that they had no objections to the proposed amendment, given the fact that the road will be constructed in accordance with County requirements.

Prior to receiving testimony on the issues raised by the Protestants/citizens who were present, J. Carroll Holzer, Esquire filed a Motion that the hearing be continued. He stated that the hearing should be continued until such time as the Developer submits a revised development

plan addressing the issues raised by DEPRM and a final determination of the public versus private access road is made. Counsel for the Owners/Developers objected to the request for continuance and for reasons stated in open hearing, Mr. Holzer's Motion was denied. Specifically, the undersigned Hearing Officer noted the lengthy history of the project to date and the fact that a second date had been pre-arranged for the hearing's continuance. In my view, this 30-day, plus, time period would provide adequate time for the Developer's engineer to address DEPRM's concerns and the opportunity for Counsel to submit memorandum on their respective positions on the road closing issue.

PROTESTANTS' ISSUES

Regarding the development plan, most of the issues raised by the attending community members revolved around the idea that there was no need for another housing development in the area. Their cumulative concerns can be summarized into two categories; public safety and environmental. Public safety issues concerned perceived increases in traffic and pedestrian safety risks through the existing residential neighborhoods bordering Redstone and Bluestone Roads; a potential for short cuts through the new development to access Greenhouse Lane and Jericho Road to the north; and, the heavy equipment needed to fill in portions of the floodplain area and construct a 60-foot span bridge over the stream and new road placing undue stress on existing roads and infrastructure. The second area of concern with significant testimony and evidence offered by both sides related to storm water management and environmental issues. As noted above, this is an environmentally sensitive site with significant storm water runoff and flooding conditions occurring at the outfall or culvert positioned under Jericho Road. Other neighbors questioned if there would be adverse impacts to their existing wells, the wildlife, septic runoff, and whether perc tests were properly conducted, and finally, whether the plan involved property on the Landmarks Preservation Commission list.

1) Groundwater and Stormwater Runoff

As a result of deficiencies raised by DEPRM, a second redlined plan was submitted at the hearing on March 25, 2005 addressing comments received from the Stormwater

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Management Division of DEPRM. The plan shows two stormwater management facilities. The first is a pre-treatment segment located west of the access road prior to the point where the proposed road crosses the stream. Storm water is funneled through storm drains and swales to this facility and through sand filters. It is then released over a 12-hour period where it flows to the second facility, an existing pond that will function as a detention facility. Mr. Deegan testified that the facility has been designed to manage the required 2-, 10-, and 100-year flood protection volumes. The Protestants argue that stormwater runoff will likely increase placing further burden in the area of the concrete culvert under Jericho Road near the Talbot and Laubach properties. Ms. Laubach submitted photographic evidence showing the impact that existing flooding conditions have had on her property over a 10-year period. Mr. Deegan testified that the proposed storm water management system would actually decrease the amount of water runoff she is currently experiencing on her property by 25%.

Robert Hester, who resides at the end of Bluestone Road, expressed concern about the amount of stormwater runoff that now flows onto his property and complained that the existing T-turnaround was never completed. Mr. Deegan addressed Mr. Hester's concerns and explained how the T-Turnaround would be improved so that water will be taken to the storm water management facility instead of running onto Mr. Hester's property. He testified that the proposed extension of Bluestone Road will be curbed so that water will be contained and directed to fall into inlets on both sides of the road and then taken to the detention facility.

In addressing the concerns regarding potential impacts on existing wells in the area, Mr. Seeley explained the geological formation of the area and that groundwater is stored in cracks and fishers beneath the ground surface. Because the groundwater in this area is drawn from pockets that, usually, have no extensive connection to each other, there are general minimal impacts to other wells in the area. The significant amount of floodplain space and other areas that will not be developed assures sufficient recharge for the number of wells proposed.

The issue of stormwater management is a frequent concern in development plan cases. DEPRM's Stormwater Management Division maintains and enforces stringent

regulations regarding this issue. I am confident that their review of the proposal in this case was thorough. Although appreciative of Ms. Laubach's and others concerns, I believe that the plan adequately provides for stormwater protection.

2) Septic Reserve Areas

Another issue raised by the Protestants relates to the septic reserve areas for this property and assertions that the percolation tests conducted were not appropriately performed. The resolution of this issue is similar to that relating to wells. Baltimore County has in place regulations regarding the required size of septic reserve areas, the capacity thereof, the distance from adjacent wells, and other septic reserve areas, etc. These regulations have all been applied to this development plan and the plan complies with those regulations in all respects. There is no credible evidence in the record that the septic reserve systems proposed for the lots in this case will cause detrimental impacts to adjacent properties.

Despite Ms. Laubach's testimony that the tests were not properly performed, the septic reserve areas have been determined to be appropriate through percolation tests. I decline to deny the plan on this issue.

3) Traffic/Vehicular Access/Public Safety

As noted above, the existing Bluestone Road will be extended with a new road leading into the interior northern portion of the site. It is also significant to observe that the road will traverse across a portion of this site that contains a stream and steep slopes. Nonetheless, whether ultimately determined to be a public or private road, it will be engineered, designed and constructed in accordance with all appropriate County standards for road and bridge design and construction. The proposed development of 13 additional homes will generate minimal traffic. According to accepted authorities in the transportation industry, each of the single family dwelling units proposed will generate 10 "average daily trips" (ADTs) per day. That is, there will be 5 "out" movements from the site and 5 "in" movements for returning traffic on a daily basis for each dwelling. All told, the ADTs anticipated for the houses on Bluestone Bridge Road and Fischer Court will be 140. Moreover, the number of ADTs is not to be misunderstood to

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mean that there will be 140 cars exiting Bluestone Bridge Road onto Chapman Road each morning. Rather, one resident may go to work in the morning and return home at night. This "in" and "out" traffic movement constitutes two ADTs. There are anticipated to be 140 ADTs interspersed throughout a 24-hour day. It cannot be seriously contended that the introduction of this volume of traffic will create congestion or overburden Bluestone, Redstone, or Chapman Roads.

Another area of contention relative to this issue relates to the private road running from Lot 12, owned by the Owner's son, David Fischer, to Greenhouse Lane. To prevent this access road from being used as a public thoroughfare, the Developer has agreed to plant a landscape barrier and has amended the site plan to reflect a chain barrier or a gate to prevent all unauthorized access.

4) Alleged Lack of Due Process

On April 13, 2005, Richard Klein, of Community and Environmental Defense Services, wrote a letter to Dennis Kennedy with the Bureau of Development Plans Review, a division of DPDM, alerting him that there were over 100 homes along Redstone Road and the intersecting dead-end roads in the community. In view of this, he pointed out that the Bureau of Development Plans Review Policy Manual requires more than one means of access to the community (Petitioner's Exhibit 9). Based on these findings, Mr. Holzer contended that the introduction of the amended redlined plan should be denied due to an alleged lack of due process and asserted that another community input meeting (CIM) is warranted to consider the alternative means of access. It should be noted that the Protestants retained Mr. Klein's services following the close of the Developer's case on March 25, 2005.

In response thereto, the Developer submitted to Baltimore County three alternative means of access. Rahee Famili testified on behalf of Development Plans Review that the policy only requires that an alternative means of access be shown as feasible; or, physically possible, when there are over 100 but less than 150 homes using a single means of access. Mr. Famili reviewed the three alternatives proposed by the Developer and approved two of them. He

testified that the actual construction of a second means of access is not required, unless there are over 150 homes using one means of access. Because the proposed development of the subject property would not increase the total units using the current means of access to more than 150 homes, the Developer is not required, nor do they intend, to construct a second means of access.

As has been stated frequently in prior development plan decisions rendered by this office, the development review process in Baltimore County is evolutionary in nature. The process is designed to identify, address and resolve issues as they become apparent. This approach has been endorsed repeatedly by the Hearing Officers for Baltimore County, the Board of Appeals, and the appellate Courts that review these cases. The record of this case will show that the hearing was spread over the course of several months and that no County agency raised any objection as to the timing of any submittals. I do not find anything in the process of this case that caused undue prejudice to the Protestants or to their ability to understanding the plan and raise objections thereto. I believe that due process was afforded all parties so as to give them an opportunity to understand the proposal and present their respective positions relating thereto. Thus, the plan shall not be denied on that basis.

5) Landmarks Preservation List

Mr. John Earnshaw, a resident of historic Franklinville, which is southeast of the subject site and extends into Harford County east of Jericho Road, appeared and offered testimony at the May 13, 2005 hearing. He testified that Jericho Road connects to historic landmark properties; Jerusalem Mills, which is northwest of the property, and Franklinville. He further testified that Jericho Road experiences flooding problems, especially at the culvert that is located near Ms. Laubach's property. He joined the others in expressing concern about additional water runoff being directed to Jericho Road and opined that should the road be washed out, access to the historic sites would be impaired. Mr. Deegan, however, testified that because the 2-, 10- and 100-year storms would be managed, the actual runoff from the subject property in its developed state would be less than it is now. He further testified that the water runoff from the subject property would not run to Franklinville, which is uphill, or that the

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Franklinville floodplain would drain down into the culvert at Ms. Laubach's property, as suggested by Mr. Earnshaw. Another valley exists between Ms. Laubach's property and historic Franklinville, which would prevent water from travelling from one location to the other.

Although he does not represent Mr. Earnshaw, Protestant's Counsel made a Motion, pursuant to Section 32-4-231 of the B.C.Z.R., that the plan be referred to the Planning Board because it involved a building, structure or site included on the Landmarks Preservation Commission list. The plan, however, does not involve in any respect whatsoever any portion of historic Franklinville or any historic properties. Thus, this Zoning Commissioner declined to seriously consider a referral of this matter to the Planning Board.

While I am appreciative of the fact that the neighbors who actually reside in the area are no doubt familiar with existing conditions on their own properties, I am not persuaded by the conclusions that they draw with regard to the proposed development. Simply stated, I am not convinced that their allegations are meritorious and that development of the subject property as proposed will adversely impact adjacent properties or aggravate off-site conditions. For example, the argument presented that the Developer's storm water management proposal "would only exacerbate the already present flooding conditions" on the Laubach and Talbot properties is unsupported by any competent and reliable evidence presented. Having considered all the testimony and evidence offered on the issues identified, I am persuaded that the development plan meets all requirements, regulations and standards for development in Baltimore County. Thus, the four-page redlined development plan for the Fischer Property *shall be approved*, subject to the ongoing review process mandated by Phase 2 of the review process and the conditions attached below relative to the access road.

ZONING RELIEF

As noted above, the Owners/Developers also seek approval of certain amendments to two previously approved FDPs to reflect a private roadway extension in lieu of the previously shown public paper road to provide access to the proposed development. In this regard, the Developer proposes a private roadway extension within a portion of the remaining Lands of Mr.

Henry Fischer, known as Parcel "A" and labeled on the previously approved FDP as "Highway R/W for Future Road." In addition, the road will also extend through "Parcel A" of Jerusalem Mills, which was recently conveyed to the Developer. In this regard, it is to be noted that initial plans for this private road did not involve the Jerusalem Mills' property; however, at DEPRM's request, the road was reconfigured to cross the stream at a more perpendicular angle. Thus, the Petitioners acquired Parcel A of Jerusalem Mills for this purpose and therefore, an amendment to reflect both the change in ownership of Parcel A of Jerusalem Mills and the use of that portion of the property for the private road extension is necessary. Both the amended FDPs and the development plan will reflect the extension of Bluestone Road as a private road to be known as Bluestone Bridge Road to access the subject property, and the acquisition of Parcel A of Jerusalem Mills. In addition, the environmental amendments are a direct result of more current information regarding the location of the floodplain and other environmental conditions and delineations of natural resources, as well as updated environmental rules and regulations.

With regard to the access road, the Baltimore County Bureau of Land Acquisition contends that, per the record plat for the Lands of Mr. Henry Fischer, which was recorded in 1995 (*see* County's Exhibit 4), Mr. Fischer offered for dedication the future roadway to the County as a public road. Because the County considers the offer of dedication to be irrevocable, it will not consent to amending the FDPs to reflect a private road or approving the Plan if a private road is reflected.

Contrary to the County's contention, however, the Owners/Developers are not proposing to withdraw the offer of dedication. Instead, they argue that the County did not accept, and in fact, rejected the offer of dedication. Thus, the proposed roadway may be a private road.

Section 32-4-271 of the Baltimore County Code ("BCC") provides that irrevocable offers of dedication to the public of all public improvements shall accompany the plat and shall be in a form approved of by the County Attorney. (Section 32-4-271(b), BCC). Only the County Executive may accept formal offers of dedication. (Section 32-4-271(d)(1), BCC).

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The recording of a plat, however, "does not constitute or imply the acceptance by the county of any public improvement . . . shown on the plat." (Section 32-4-271(d)(2), BCC). Indeed, a plat must contain, *inter alia*, the following notations:

a. That the recording of the plat *does not constitute or imply acceptance by the County* of any public improvement shown on the plat;

b. That the recording of the plat *does not guarantee construction of streets* or utilities by the county; and

c. That the information shown *may be superceded by a subsequent or amended plat.*

Section 32-4-271(f)(1), (3) and (4), BCC (emphasis added).

Acceptance by the County of a dedicated road is conditioned upon the road meeting various construction requirements. (*See* Section 18-3-307(b), BCC). Because a road must meet certain physical requirements before the County may accept an offer of dedication, the County cannot accept a road that has not yet been built.

The Developer argues that for a dedication of a public road to be complete, there must be an offer *and* an acceptance. United Finance Corp. v. Royal Realty Corp., 172 Md. 138, 191 A. 81, 86 (1937). In addition, "[s]uch an offer must be accepted within a reasonable time." United Finance Corp., 172 Md. 138, 191 A. at 86. The method of acceptance by the County of a dedicated road shall be by endorsing the deed of conveyance, which must be recorded. (Section 18-3-307(c), BCC). Because the requirements for a dedication have not been met, there is no reason why the road cannot be private.

Further testimony and evidence offered by the Owners/Developers is more fully set forth in the two well prepared Memoranda submitted during the hearing, and the Post-Hearing Memoranda submitted at its conclusion. They address, among other things, the bridge and road construction standards, maintenance responsibilities, etc. As the record reflects, I received conflicting testimony and positions while conducting the hearing. A review of relevant authority raised a question as to whether I, as Zoning Commissioner, have the authority to supercede

Section 18-3-302 of the BCC dealing with the mechanism for closing County roads. A request for legal guidance from the Office of Law disclosed that the Developer would have to proceed pursuant to Section 18-3-302 and petition for a road closing through the Department of Permits and Development Management (DPDM). If the County approves the closure of the road, the Developer would be able to amend the prior FDPs, accordingly.

Notwithstanding Developer's arguments that the Zoning Commissioner has the authority to make such a ruling, the Developers filed a Petition to close the road extension of Bluestone Road under Case No. R.C.2005-002. A hearing in that matter was held before Donald T. Rascoe, Deputy Director of the Department of Permits and Development Management (DPDM) on May 4, 2005 and a decision in that matter is still pending.

Regardless of whether the road extension is ultimately deemed to be public or private, the remaining changes to the FDPs for both The Lands of Mr. Henry Fischer and Jerusalem Mills should be approved. There is no compelling reason, legal or otherwise, to deny it. Therefore, I shall approve the plan and Petitions for Special Hearing, pending a decision on the road closing issue. If the County approves the road closure, then the development plan as submitted and the amendments shall be approved. If the County denies the road closure, then a revised development plan reflecting the road as a public road must be submitted and the FDPs for the Lands of Mr. Henry Fischer and Jerusalem Mills revised accordingly.

CONCLUSION

After due consideration of all of the testimony and evidence presented, I am persuaded to approve the development plan, as submitted, and the Petitions for Special Hearing filed in Cases Nos. 05-314-SPH and 05-315-SPH, subject to the resolution of the road closing issue. Regardless of whether the road is designated a public or private road, the proposed extension and bridge will be constructed in accordance with public standards. All issues raised by the County and by the Protestants were adequately addressed by the plan. All wells and septic reserve areas have been configured to meet the appropriate setback requirements, percolation tests were properly performed, and all environmental issues and concerns have been addressed. In this

ORDER RECEIVED FOR FILING
Date 5/23/06
By

regard, a note will be added to the plan prohibiting the disturbance of the forest buffer easements and forest conservation easements, without express permission from DEPRM. Finally, the plan does not involve buildings, sites or structures on the Landmarks Preservation Commission's Lists. I am persuaded that the plan as submitted meets all County rules, regulations and standards and that the proposed amendments are appropriate. Moreover, I find that there will be no detrimental impacts to adjacent properties or the surrounding locale.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Article 32, Title 4 of the Baltimore County Code, the development plan shall be approved consistent with the comments contained herein and the Petitions for Special Hearing filed in Case Nos. 05-314-SPH and 05-315-SPH shall be granted, in part, consistent with the comments contained herein and the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by the Zoning Commissioner/Hearing Officer for Baltimore County this 27th day of May 2005 that the four-page, redlined development plan for the Fischer Property, identified as Developer's Exhibits 7A through 7D, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing filed in Case No. 05-314-SPH seeking approval of amendments to the Final Development Plan (FDP) for the "Lands of Mr. Henry Fischer" as follows: 1) to reflect a private roadway extension within a portion of the remaining lands, known as Parcel "A" and labeled as "Highway R/W for Future Road" to facilitate a more perpendicular crossing of an existing stream, which road will access the proposed Fischer Property development; to show the roadway area and associated R/W as part of the "HOA Common Area and Private Ingress and Egress Easement" of the Fischer Property; and, to show the remainder of Parcel "A" to be located within the boundaries of the adjoining proposed Lot 1 of the Fischer Property; 2) to add a storm water management device to treat and control the newly proposed impervious surfaces; 3) to amend the forest buffer so that it will be 25 feet from the 100-year floodplain and to relocate a portion of the forest buffer and wetlands; 4) to add a 100-year floodplain, drainage and utility easement and forest conservation

easement, as required by the Department of Environmental Protection and Resource Management (DEPRM); and, 5) to add a sign at the entrance of the Fischer Property Development, in accordance with Petitioner's Exhibits 1 and 2; be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing filed in Case No. 05-315-SPH seeking approval of amendments to the Final Development Plan for "Jerusalem Mills" as follows: 1) to reflect a private roadway extension within a portion of the remaining lands, labeled as Parcel "A" of Jerusalem Mills, which was recently conveyed to Developers, and to reflect the change in ownership of that parcel; 2) to add a 100-year floodplain, drainage and utility easement, and forest conservation easement within a portion of Parcel "A;" and, 3) to add wetlands and a forest buffer to Parcel "A," in accordance with Petitioner's Exhibits 1A through 1C, and 2A through 2C, be and is hereby GRANTED, subject to the following restriction:

1) The relief granted herein is contingent upon the Developer obtaining approval of its Petition to close the road in Case No. R.C.2005-002. In the event the Developer is denied the road closure, then a revised plan reflecting the extension of the road as a public road must be submitted prior to record plat. In addition, the FDPs for the Lands of Mr. Henry Fischer and Jerusalem Mills shall be revised accordingly.

2) A standard note shall be added to the plan prohibiting the disturbance of the forest buffer easements and forest conservation easements, without express permission from DEPRM.

Any appeal of this decision must be taken in accordance with Articles 32-4-229(B) and 32-4-281 of the Baltimore County Code.

WILLIAM J. WISEMAN, III
Zoning Commissioner/Hearing Officer
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING
Date 5/22/06
By

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

May 27, 2005

Jeffrey H. Scherr, Esquire
Mindy Caplan, Esquire
One South Street, 26th Floor
Baltimore, Maryland 21202

RE: Development Plan Hearing & Petitions for Special Hearing
(Fischer Property)
Cases Nos. XI-956 & 05-314-SPH & 05-315-SPH

Dear Counsel:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The development plan has been approved, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. & Mrs. Henry J. Fischer, 8215 Greenhouse Lane, Kingsville, Md. 21087
Mr. Jeffrey Deegan, 2309 Belair Road, Suite A, Fallston, Md. 21047
Mr. Henry Leskinen, P.O. Box 5006, Glen Arm, Md. 21057
Mr. Joseph M. Moran, 309 W. Chesapeake Avenue, Suite 208, Towson, Md. 21204
Mr. Don Mitten, 110 Old Padonia Road, Suite LC, Cockeysville, Md. 21030
J. Carroll Holzer, Esquire, 508 Fairmount Avenue, Towson, Md. 21286
Ms. Anne S. Cottone, 8005 Redstone Road, Kingsville, Md. 21087
Mr. Robert Hester, 11911 Bluestone Road, Kingsville, Md. 21087
Mr. Drew Mize, 7902 Redstone Road, Kingsville, Md. 21087
Ms. Dinah Buck, 11905 Bluestone Road, Kingsville, Md. 21087
Mr. Mitch Butta, 11902 Bluestone Road, Kingsville, Md. 21087
Mr. Sam Talbot, 11924 Jericho Road, Upper Falls, Md. 21156
Mr. Rob Loskot, Office of Law; Mr. Walt Smith, DPDM; DEPRM; OP; DPW; R&P; People's Counsel; Case File

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410 539 1269

REVISED
Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at southeast side of Jerusalem Road opposite Suckhill Road (opposite the subdivision of Glenbauer)

which is presently zoned R.C. 5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve pursuant to Section 1B01.3(A)(7)(b) of the Baltimore County Zoning Regulations, the amendment of the Final Development Plan for Jerusalem Mills. See attached.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, 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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s):

Moran/Luther, LLC
Name - Type or Print

Signature

William R. Luther, Jr.
Name - Type or Print

Signature

2205 Commerce Road (410) 893-8458
Address Telephone No.

Forest Hill, Maryland 21050
State Zip Code

Attorney For Petitioner:

Mindy L. Caplan
Name - Type or Print

Signature

Kramon & Graham, P.A.
Company

One South Street, Suite 2600 (410) 752-6030
Address Telephone No.

Baltimore MD 21202
City State Zip Code

Representative to be Contacted:

Jeffrey J. Deegan, Wilson Deegan & Associates Inc.
Name

2309 Bel Air Road, Suite A (410) 893-3700
Address Telephone No.

Fallston MD 21047
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING See #314

UNAVAILABLE FOR HEARING

Reviewed By JNP/DT Date 1-26-05 Revised

ORDER RECEIVED FOR FILING
Date 1/20/05
By

Case No. 05-315SPH

REV 9/15/98

RECEIVED TIME JAN. 20. 1:31PM PRINT TIME JAN. 20. 1:34PM

PROPOSED AMENDMENTS TO FINAL DEVELOPMENT PLAN OF
"JERUSALEM MILLS"

In compliance with § 1B01.3(A)(7)(b), Petitioners request that the following changes be made to the Final Development Plan for "Jerusalem Mills."

Amendment No. 1

A change is proposed to reflect a private roadway extension within a portion of the remaining lands, labeled as Parcel "A." Parcel A was a small piece of property that remained after Jerusalem Mills was developed. Kingsmill, LLC, purchased this land from the original developer of Jerusalem Mills to facilitate a more perpendicular crossing of the existing stream system. This proposed roadway will access the Fischer Property, which is currently being developed. The roadway area and associated R/W will also be shown to be part of the "HOA Common Area and Private Ingress and Egress Easement" of the Fischer Property. The remainder of Parcel "A" will be shown to be located within the boundaries of the adjoining proposed Lot 1 of the Fischer Property Development. The change in ownership of Parcel "A" will also be reflected.

Amendment No. 2

A change is proposed to add a one hundred (100) year floodplain, drainage and utility easement, and forest conservation easement within a portion of Parcel "A", as required by the Department of Environmental Protection and Resource Management.

Amendment No. 3

A change is proposed to add wetlands and a forest buffer to Parcel "A", ~~as~~ delineated by Eco-Science Professionals, Inc.

ORDER RECEIVED FOR FILING
Date 3/27/15
By

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County
(Jerusalem Mills)

for the property located at ~~8223 Greenhouse Lane~~ Jerusalem Rd.
which is presently zoned R.C. 5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve pursuant to Section 1B01.7(b) of the Baltimore County Zoning Regulations, the amendment of the Final Development Plan for Jerusalem Mills. The property is shown on the attached Record Plat, which Plat was recorded among the Plat Records of Baltimore County in Plat Book SM 66, folio 43. See attached.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, 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:

See attached signature page
Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s):

See attached signature page
Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

State Zip Code

Attorney For Petitioner:

Jeffrey H. Scherr
Name - Type or Print

City

Signature

Kramon & Graham, P.A.
Company

One South Street, Suite 2600 (410) 752-6030
Address Telephone No.

Baltimore MD 21202
City State Zip Code

Representative to be Contacted:

Jeffrey J. Deegan, Wilson Deegan & Associates Inc.
Name

2309 Bel Air Road, Suite A (410) 893-3700
Address Telephone No.

Fallston MD 21047
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 3.00 hr

UNAVAILABLE FOR HEARING

Reviewed By DT JNR Date 12-22-04

Case No. D5-315 SPH

REV 9/15/98

We solemnly declare and affirm, under the penalties of perjury, that we are the legal owners of the property which is the subject of this Petition.

Legal Owners:

HENRY J. FISCHER

8215 Greenhouse Lane
Kingsville, Maryland 21087
(410) 592-9310

JOHN D. FISCHER

8211 Greenhouse Lane
Kingsville, Maryland 21087
(410) 592-2352

SHIRLEY M. FISCHER

8215 Greenhouse Lane
Kingsville, Maryland 21087
(410) 592-9310

KAREN D. FISCHER

8211 Greenhouse Lane
Kingsville, Maryland 21087
(410) 592-2352

Contract Purchaser/Lessee:

KINGSMILL, LLC

By: Joseph Moran, Managing Member
11619 Philadelphia Road
White Marsh, Maryland 21162
(410) 256-8650

315

03320/0/00121617.WPDv1

PROPOSED AMENDMENTS TO FINAL DEVELOPMENT PLAN OF
"JERUSALEM MILLS"

In compliance with § 1B01.7(b), Petitioners request that the following changes be made to the Final Development Plan for "Jerusalem Mills."

Amendment No. 1

A change is proposed to reflect a private roadway extension within a portion of the remaining lands, labeled as Parcel "A." Parcel A was a small piece of property that remained after Jerusalem Mills was developed. Kingsmill, LLC, purchased this land from the original developer of Jerusalem Mills to facilitate a more perpendicular crossing of the existing stream system. This proposed roadway will access the Fischer Property, which is currently being developed. The roadway area and associated R/W will also be shown to be part of the "HOA Common Area and Private Ingress and Egress Easement" of the Fischer Property. The remainder of Parcel "A" will be shown to be located within the boundaries of the adjoining proposed Lot 1 of the Fischer Property Development. The change in ownership of Parcel "A" will also be reflected.

Amendment No. 2

A change is proposed to add a one hundred (100) year floodplain, drainage and utility easement, and forest conservation easement within a portion of Parcel "A", as required by the Department of Environmental Protection and Resource Management.

Amendment No. 3

A change is proposed to add wetlands and a forest buffer to Parcel "A", as delineated by Eco-Science Professionals, Inc.

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: #05-315-SPH
S/east side of Jerusalem Road opposite Buckhill Road
(opposite subdivision of Glenbauer)
S/east side of Jerusalem Road opposite Buckhill Road
(opposite subdivision of Glenbauer)
11th Election District - 3rd Councilmanic District
Legal Owners: Moran/Luther, LLC, William R. Luther, Jr.

SPECIAL HEARING: to amend the Final Development Plan for Jerusalem Mills to reflect a private roadway extension within a portion of the remaining lands, labeled as Parcel "A". This proposed roadway will access the Fischer Property, which is currently being developed. The roadway area and associated R/W will also be shown to be part of the "HOA Common Area and Private Ingress & Egress Easement" of the Fischer Property. The remainder of Parcel "A" will be shown to be located within the boundaries of the adjoining proposed Lot 1 of the Fischer Property Development. The change in ownership of Parcel "A" will also be reflected. To add a one hundred (100) year floodplain, drainage and utility easement, and forest conservation easement within a portion of Parcel "A". To add wetlands and a forest buffer to Parcel "A".

Hearing: Thursday, February 17, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204.

WILLIAM WISEMAN
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 2/602 February 1 37686

CERTIFICATE OF PUBLICATION

2/4/, 2005

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 2/1/, 2005.

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

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 441261

DATE

ACCOUNT

AMOUNT $

RECEIVED FROM:

FOR:

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACCT	TIME	
12/23/2004	12/23/2004	15:31:23	

TO REG: WALKIN INFI LDP
RECEIPT # 280071 1/23/2004 CHLR
Dept 5 TR TOTAL CERTIFICATION
Rec No. 441261
Receipt Tot $225.00
$50.00 CA 1.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

Date January 30, 2005

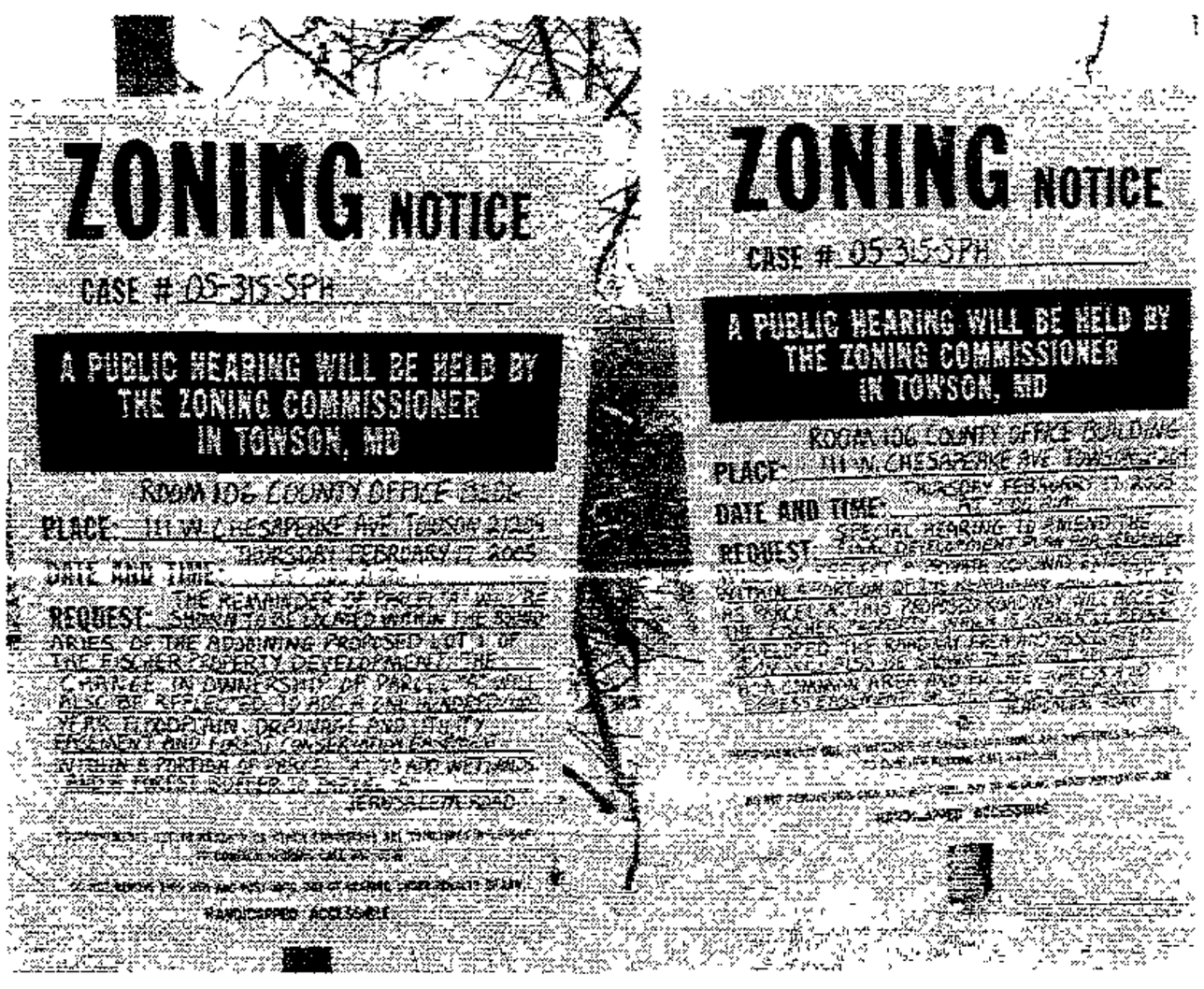
RE: Case Number 05-315-SPH

Petitioner/Developer KRAMON AND GRAHAM, P.A. - JEFFREY SCHERR ESQ./ETAL

Date of (Hearing)/Closing February 17, 2005

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at JERUSALEM ROAD (ON-SITE)

The sign(s) were posted on January 30, 2005



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City. State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS Date January 30, 2005

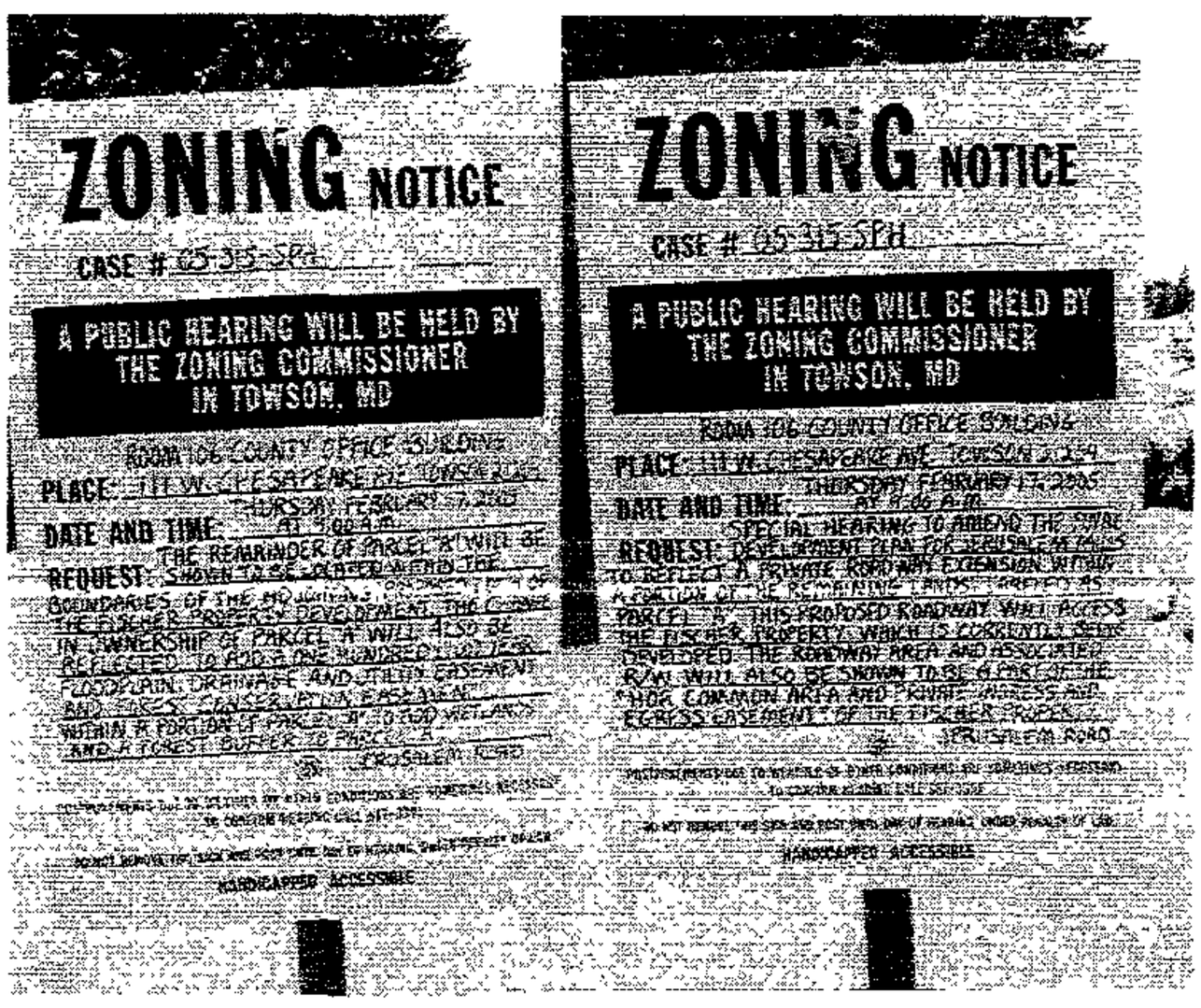
RE: Case Number 05-315-SPH

Petitioner/Developer KRAMON AND GRAHAM, P.A.-JEFFREY SCHERR ESQ. / ETAL.

Date of (Hearing) Closing February 17, 2005

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at JERUSALEM RD. AND GLENBAVER ROAD (ON-SITE)

The sign(s) were posted on January 30, 2005



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

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: 05-315 SPH

Petitioner: Moran/Luther, LLC

Address or Location: Southeast side of Jerusalem Rd. opposite Buckhill Road (opposite the subdivision of Glenbauer)

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jeffrey H. Scherr

Address: Kramon & Graham, P.A.
One South Street, Suite 2600
Baltimore, Maryland 21202

Telephone Number: 410-752-6030

Revised 2/20/98 - SCJ

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

April 12, 2005

Jeffrey H. Scherr, Esquire
Mindy Caplan, Esquire
One South Street, 26th Floor
Baltimore, Maryland 21202

RE: Development Plan Hearing & Petitions for Special Hearing
(Fischer Property)
Cases Nos. XI-956 & 05-314-SPH & 05-315-SPH

Dear Counsel:

This letter is to confirm that the hearing in the above-captioned matter, which was postponed on Friday, April 8, 2005, has been rescheduled by agreement of all parties, to Friday, May 13, 2005 at 9:00 AM in Room 407 of the Circuit Courts Building.

Thank you for your cooperation in this matter and should anyone have any questions on the subject, please do not hesitate to call me.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. & Mrs. Henry J. Fischer, 8215 Greenhouse Lane, Kingsville, Md. 21087
Mr. Jeffrey Deegan, 2309 Belair Road, Suite A, Fallston, Md. 21047
Mr. Henry Leskinen, P.O. Box 5006, Glen Arm, Md. 21057
Mr. Joseph M. Moran, 309 W. Chesapeake Avenue, Suite 208, Towson, Md. 21204
Mr. Don Mitten, 110 Old Padonia Road, Suite LC, Cockeysville, Md. 21030
J. Carroll Holzer, Esquire, 508 Fairmount Avenue, Towson, Md. 21286
Ms. Anne S. Cotlone, 8005 Redstone Road, Kingsville, Md. 21087
Mr. Robert Hester, 11911 Bluestone Road, Kingsville, Md. 21087
Mr. Drew Mize, 7902 Redstone Road, Kingsville, Md. 21087
Ms. Dinah Buck, 11905 Bluestone Road, Kingsville, Md. 21087
Mr. Mitch Butta, 11902 Bluestone Road, Kingsville, Md. 21087
Mr. Sam Talbot, 11924 Jericho Road, Upper Falls, Md. 21156
Mr. Walt Smith, DPDM; DEPRM; OP; DPW;
Mr. Rob Loskot, Office of Law; People's Counsel; Case File

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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 27, 2005

CORRECTED NOTICE OF ZONING HEARING

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

CASE NUMBER: 05-315-SPH
S/east side of Jerusalem Road opposite Buckhill Road (opposite subdivision of Glenbauer)
S/east side of Jerusalem Road opposite Buckhill Road (opposite subdivision of Glenbauer)
11th Election District – 3rd Councilmanic District
Legal Owners: Moran/Luther, LLC, William R. Luther Jr.

Special Hearing to amend the Final Development Plan for Jerusalem Mills to reflect a private roadway extension within a portion of the remaining lands, labeled as Parcel "A". This proposed roadway will access the Fischer Property, which is currently being developed. The roadway area and associated R/W will also be shown to be part of the "HOA Common Area and Private Ingress & Egress Easement" of the Fischer Property. The remainder of Parcel "A" will be shown to be located within the boundaries of the adjoining proposed Lot 1 of the Fischer Property Development. The change in ownership of Parcel "A" will also be reflected. To add a one hundred (100) year floodplain, drainage and utility easement, and forest conservation easement within a portion of Parcel "A". To add wetlands and a forest buffer to Parcel "A".

Hearing: Thursday, February 17, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: C: Jeffrey Scherr, Kramon & Graham, One South Street, Ste. 2600, Baltimore 21202
Mr. & Mrs. Henry Fischer, 8215 Greenhouse Lane, Kingsville 21087
Mr. & Mrs. John Fischer, 8211 Greenhouse Lane, Kingsville 21087
Joseph Moran, Kingsmill, LLC, 11619 Philadelphia Rd., White Marsh 21162
Jeffrey Deegan, 2309 Bel Air Road, Ste. A, Fallston 21047

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, FEBRUARY 2, 2005.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Printed on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 1, 2005 Issue - Jeffersonian

Please forward billing to:
Jeffrey Scherr 410-752-6030
Kramon & Graham
One South St., Ste. 2600
Baltimore, MD 21202

CORRECTED NOTICE OF ZONING HEARING

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

CASE NUMBER: 05-315-SPH
S/east side of Jerusalem Road opposite Buckhill Road (opposite subdivision of Glenbauer)
S/east side of Jerusalem Road opposite Buckhill Road (opposite subdivision of Glenbauer)
11th Election District – 3rd Councilmanic District
Legal Owners: Moran/Luther, LLC, William R. Luther Jr.

Special Hearing to amend the Final Development Plan for Jerusalem Mills to reflect a private roadway extension within a portion of the remaining lands, labeled as Parcel "A". This proposed roadway will access the Fischer Property, which is currently being developed. The roadway area and associated R/W will also be shown to be part of the "HOA Common Area and Private Ingress & Egress Easement" of the Fischer Property. The remainder of Parcel "A" will be shown to be located within the boundaries of the adjoining proposed Lot 1 of the Fischer Property Development. The change in ownership of Parcel "A" will also be reflected. To add a one hundred (100) year floodplain, drainage and utility easement, and forest conservation easement within a portion of Parcel "A". To add wetlands and a forest buffer to Parcel "A".

Hearing: Thursday, February 17, 2005 at 9:00 a.m. in Room 106, County Office Building,
111 W. Chesapeake Avenue, Towson 21204

WILLIAM WISEMAN
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 5, 2005

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: 05-315-SPH
Jerusalem Road
S/east side of Jerusalem Road opposite Glenbauer and Buckhill Road
11th Election District – 3rd Councilmanic District
Legal Owners: Henry J., Shirley M., John D. and Karen D. Fischer
Contract Purchasers: Kingsmill LLC

Special Hearing to permit the amendment of the Final Development Plan for Jerusalem Mills., The property is shown on the attached Record Plat, which Plat was recorded among the Plat Records of Baltimore County in Plat Book SM 66, folio 43.

Hearing: Thursday, February 17, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: C: Jeffrey Scherr, Kramon & Graham, One South Street, Ste. 2600, Baltimore 21202
Mr. & Mrs. Henry Fischer, 8215 Greenhouse Lane, Kingsville 21087
Mr. & Mrs. John Fischer, 8211 Greenhouse Lane, Kingsville 21087
Joseph Moran, Kingsmill, LLC, 11619 Philadelphia Rd., White Marsh 21162
Jeffrey Deegan, 2309 Bel Air Road, Ste. A, Fallston 21047

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, FEBRUARY 2, 2005.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 1, 2005 Issue - Jeffersonian

Please forward billing to:
Jeffrey Scherr
Kramon & Graham
One South St., Ste. 2600
Baltimore, MD 21202

410-752-6030

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: 05-315-SPH
Jerusalem Road
S/east side of Jerusalem Road opposite Glenbauer and Buckhill Road
11th Election District – 3rd Councilmanic District
Legal Owners: Henry J., Shirley M., John D. and Karen D. Fischer
Contract Purchasers: Kingsmill LLC

Special Hearing to permit the amendment of the Final Development Plan for Jerusalem Mills., The property is shown on the attached Record Plat, which Plat was recorded among the Plat Records of Baltimore County in Plat Book SM 66, folio 43.

Hearing: Thursday, February 17, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

WILLIAM WISEMAN
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING RECLASSIFICATION 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 reclassification hearing. This is accomplished by Baltimore County posting a sign on the property at least fifteen (15) days before the hearing and advertising in local newspapers. The advertising consists of a list and map of all reclassification petitions (cost evenly distributed between all petitioners), as well as individual advertising in local newspapers. The list and map must be published in two newspapers for three different weeks and the individual advertisements must be published in two newspapers fifteen (15) days prior to 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: 05-315 SPH

Petitioner: Kingsmill, LLC; Henry J. Fischer; Shirley M. Fischer; John D. Fischer; Karen D. Fischer

Address or Location: 8223 Greenhouse Lane

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jeffrey H. Scherr, Esquire, Kramon + Graham, P.A.

Address: One South Street, Suite 2600
Baltimore, MD 21202

Telephone Number: (410) 752-6030

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 8, 2005

Mindy L. Caplan
Kramon & Graham, P.A.
One South Street, Ste. 2600
Baltimore, Maryland 21202

Dear Ms. Caplan:

RE: Case Number: 05-315-SPH

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 26, 2005.

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
Moran/Luther, LLC. William R. Luther 2205 Commerce Road Forest Hill 21050
Jeffrey Deegan Wilson Deegan & Assoc. 2309 Bel Air Road Ste. A. Fallston 21047

Printed on Recycled Paper

Fire Department

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

Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

January 4, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: January 10, 2005

Item No.: 305,306,308-309,~~311~~-318 315

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time.

Lieutenant Franklin J. Cook
Fire Marshal's Office
(O)410-887-4881 (C)443-829-2946
MS-1102F

cc: File

Printed on Recycled Paper

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

State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 1·3·05

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

RE: Baltimore County
Item No. 315 JJS

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,

Steven D. Foster, Chief
Engineering Access Permits Division

BW 2/17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 24, 2005

RECEIVED

JAN 2 3 2005

ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-315**

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 Cunningham in the Office of Planning at 410-887-3480.

Prepared By: Mark A Cunningham

Division Chief: Lynn Lanham

MAC/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 21, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For January 10, 2005
Item Nos. 305, 306, 308, 309, 310,
311, 313, 314, 315, 316, 317, and
318

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

RWB:CEN:jrb

cc: File

RE:	PETITION FOR SPECIAL HEARING	*	BEFORE THE
	8223 Greenhouse Lane; SE/side Jerusalem Rd, Opposite Glenbauer & Buckhill Roads	*	ZONING COMMISSIONER
	11th Election & 3rd Councilmanic Districts		
	Legal Owner(s): Henry, John, Shirley, and Karen Fischer	*	FOR
	Contract Purchaser(s): Joseph Moran, Managing Member, Kingsmill, LLC	*	BALTIMORE COUNTY
	Petitioner(s)	*	05-315-SPH

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

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 and documentation filed in the case.

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

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

RECEIVED

Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of Janaury, 2005, a copy of the foregoing Entry of Appearance was mailed to Jeffrey Deegan, William Deegan & Associates, Inc, 2309 Belair Road, Suite A, Fallston, MD 21047 and Jeffrey Scherr, Esquire, Kramon & Graham, P.A., One South Street, St. 2600, Baltimore, MD 21202, Attorney for Petitioner(s).

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

LAW OFFICES
KRAMON & GRAHAM, P. A.
ONE SOUTH STREET
SUITE 2600
BALTIMORE, MARYLAND 21202-3201
TELEPHONE: (410) 752-6030
FACSIMILE (410) 539-1269

www.kramonandgraham.com

MINDY CAPLAN
DIRECT DIAL
(410) 347-7419
DIRECT FACSIMILE
(410) 361-8207

E-MAIL
mcaplan@kg-law.com

January 26, 2005

VIA HAND DELIVERY
Mr. John Sullivan
County Office Building
Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

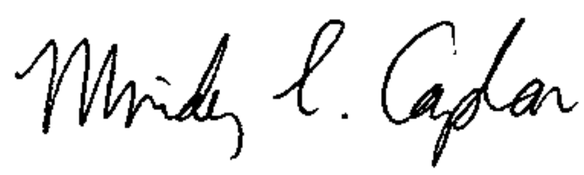
Re: 05-314-SPH & 05-315-SPH

Dear Mr. Sullivan:

Enclosed for filing are two REVISED Petitions for Special Hearing that request approval of two amended Final Development Plans. Also enclosed are plats that will serve as the legal description for the property in the Jerusalem Mills development (Case No. 05-315-SPH). The plat previously filed was incorrect. Please issue new hearing notices as soon as possible so that we may revise the signs and have them posted by February 2, 2005. Hearings on both petitions are scheduled for February 17, 2005. Finally, enclosed is this firm's check for $200 which represents the required filing fees ($100 for each revised petition).

Please call if you have any questions or concerns.

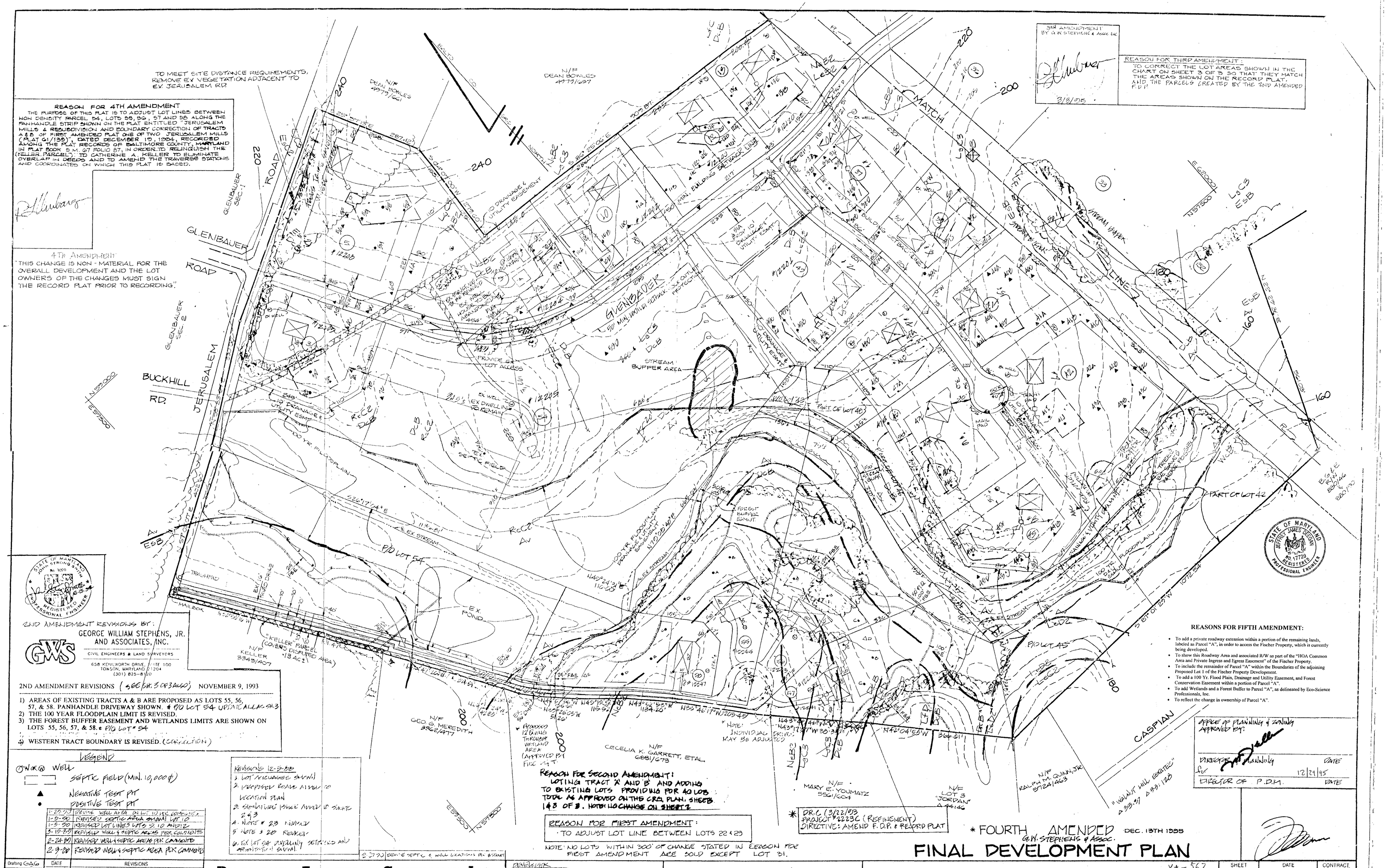
Sincerely,



Mindy L. Caplan

MLC/clm
Enclosures
cc: Kingsmill, LLC (w/encl.)
Mr. Jeffrey Deegan (w/encl.)

03320/0/00124039 WPDv1



TO MEET SITE DISTANCE REQUIREMENTS, REMOVE EX. VEGETATION ADJACENT TO EX. JERUSALEM RD.

REASON FOR 4TH AMENDMENT

THE PURPOSE OF THIS PLAT IS TO ADJUST LOT LINES BETWEEN NON DENSITY PARCEL 54, LOTS 55, 56, 57 AND 58 ALONG THE PANHANDLE STRIP SHOWN ON THE PLAT ENTITLED "JERUSALEM MILLS & RESUBDIVISION AND BOUNDARY CORRECTION OF TRACTS A & B OF FIRST AMENDED PLAT ONE OF TWO JERUSALEM MILLS (PLAT 61/135), DATED DECEMBER 19, 1994, RECORDED AMONG THE PLAT RECORDS OF BALTIMORE COUNTY, MARYLAND IN PLAT BOOK S.M. 67 FOLIO 67, IN ORDER TO RELINQUISH THE (KELLER PARCEL); TO CATHERINE A. KELLER TO ELIMINATE OVERLAP IN DEEDS AND TO AMEND THE TRAVERSE STATIONS AND COORDINATES ON WHICH THIS PLAT IS BASED.

4TH AMENDMENT

"THIS CHANGE IS NON - MATERIAL FOR THE OVERALL DEVELOPMENT AND THE LOT OWNERS OF THE CHANGES MUST SIGN THE RECORD PLAT PRIOR TO RECORDING."

3RD AMENDMENT BY G.W. STEPHENS & ASSOC. INC. 3/8/05

REASON FOR THIRD AMENDMENT:

TO CORRECT THE LOT AREAS SHOWN IN THE CHART ON SHEET 3 OF 3 SO THAT THEY MATCH THE AREAS SHOWN ON THE RECORD PLAT AND THE PARCELS CREATED BY THE 2ND AMENDED F.D.P.

STATE OF MARYLAND JOHN E. SENING III No. 9020 REGISTERED PROFESSIONAL ENGINEER

STATE OF MARYLAND JEFFREY JAMES DUGAN No. 17729 REGISTERED PROFESSIONAL ENGINEER

2ND AMENDMENT REVISIONS BY:
GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(301) 825-8120

2ND AMENDMENT REVISIONS (SEE SH. 3 OF 3 ALSO) NOVEMBER 9, 1993

1) AREAS OF EXISTING TRACTS A & B ARE PROPOSED AS LOTS 55, 56, 57, & 58. PANHANDLE DRIVEWAY SHOWN. ¢ P/O LOT 54 UPDATE ALLAR SH. 3
2) THE 100 YEAR FLOODPLAIN LIMIT IS REVISED.
3) THE FOREST BUFFER EASEMENT AND WETLANDS LIMITS ARE SHOWN ON LOTS 55, 56, 57, & 58. ¢ P/O LOT # 54
4) WESTERN TRACT BOUNDARY IS REVISED. (CORRECTION)

LEGEND

WELL
SEPTIC FIELD (MIN. 10,000 #)
NEGATIVE TEST PIT
POSITIVE TEST PIT

REVISIONS 12-5-88
1. LOT RECHANGE SHOWN
2. PROPOSED BOND ADDED TO LOCATION PLAN
3. SIGNATURE PANEL ADDED & SHEETS 2 & 3
4. NOTE # 23 REVISED
5. NOTE # 28 REVISED
6. FOR LAT SEE DEVELOPING SETTING AND RESTRICTIONS SHOWN.

1-27-97	REVISE WELL AREA ON LOT 10 PER COMMENTS	
1-8-96	REVISED SEPTIC AREA SHOWN LOT 10	
1-5-90	REVISED LOT LINES LOTS 9, 10 AND 12	
3-15-89	REVISED WELL & SEPTIC AREAS PER COMMENTS	
2-24-89	REVISED WELL & SEPTIC AREAS PER COMMENTS	
2-9-89	REVISED WELL & SEPTIC AREA PER COMMENTS	
2-27-90	REVISE SEPTIC & WELL LOCATIONS PER BOARD	

Drafting GAG	DATE	REVISIONS
Check SBS	1-10-89	REVISED WELLS & SEPTIC PER COMMENTS
Design GLD	1-6-89	WELL & SEPTIC AREA REVISED
	11-22-88	LEGEND ADDED
Check SBS	11-22-88	WELLS, SEPTIC AREAS & TEST PITS SHOWN

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
BALTIMORE 6603 YORK RD. (301) 377-2600 MARYLAND

REASON FOR SECOND AMENDMENT:
VOTING TRACT 'A' AND 'B' AND ADDING TO EXISTING LOTS PROVIDING FOR 40 LOTS TOTAL AS APPROVED ON THE CRG PLAN. SHEETS 1 & 3 OF 3. NOTE: NO CHANGE ON SHEET 2

REASON FOR FIRST AMENDMENT:
TO ADJUST LOT LINE BETWEEN LOTS 22 & 23

NOTE: NO LOTS WITHIN 300' OF CHANGE STATED IN REASON FOR FIRST AMENDMENT ARE SOLD EXCEPT LOT 31.

* DRC 13/22/93
PROJECT #2236 (REFINEMENT)
DIRECTIVE: AMEND F.D.P. & RECORD PLAT

REASONS FOR FIFTH AMENDMENT:

- To add a private roadway extension within a portion of the remaining lands, labeled as Parcel "A", in order to access the Fischer Property, which is currently being developed.
- To show this Roadway Area and associated R/W as part of the "HOA Common Area and Private Ingress and Egress Easement" of the Fischer Property.
- To include the remainder of Parcel "A" within the Boundaries of the adjoining Proposed Lot 1 of the Fischer Property Development.
- To add a 100 Yr. Flood Plain, Drainage and Utility Easement, and Forest Conservation Easement within a portion of Parcel "A".
- To add Wetlands and a Forest Buffer to Parcel "A", as delineated by Eco-Science Professionals, Inc.
- To reflect the change in ownership of Parcel "A".

OFFICE OF PLANNING & ZONING APPROVED BY:
DIRECTOR OF PLANNING — DATE 12/29/95
DIRECTOR OF P.D.M. — DATE

OWNER/DEVELOPER
SHARONDALE INC.
411 E JOPPA RD
BALTIMORE, MD 21236
529-4600

* FOURTH AMENDED G.W. STEPHENS & ASSOC. DEC. 13TH 1995

FINAL DEVELOPMENT PLAN

* JERUSALEM MILLS

XII-567

SHEET	DATE	CONTRACT NUMBER
1 OF 3	NOV. 21, 1990	

PETITIONER'S EXHIBIT NO. 05-315SPH 1A, B+C A

3rd AMENDMENT BY G.W. STEPHENS & ASSOC. INC	REASON FOR THIRD AMENDMENT:
8/3/95	TO CORRECT THE LOT AREAS SHOWN IN THE CHART ON SHEET 3 OF 3 SO THAT THEY MATCH THE AREAS SHOWN ON THE RECORD PLAT, AND THE PARCELS LOCATED ON THE 2ND AMENDED F.D.P.

REASON FOR SECOND AMENDMENT:
LOTING TRACT 'A' AND 'B' AND ADDING TO EXISTING LOTS PROVIDES FOR 40 LOTS TOTAL AS APPROVED ON THE G.R.C. PLAN, SHEETS 1 & 3 OF 3. NOTE: NO CHANGE ON SHEET 2

2ND AMENDMENT REVISIONS (SEE SH. 3 OF 3 ALSO) NOVEMBER 9, 1993

1) AREAS OF EXISTING TRACTS A & B ARE PROPOSED AS LOTS 55, 56, 57, & 58. PANHANDLE DRIVEWAY SHOWN. ℄ P/O LOT 54 UPDATE AREAS SH. 3
2) THE 100 YEAR FLOODPLAIN LIMIT IS REVISED.
3) THE FOREST BUFFER EASEMENT AND WETLANDS LIMITS ARE SHOWN ON LOTS 55, 56, 57, & 58. ℄ P/O LOT ℄ 54
4) WESTERN TRACT BOUNDARY IS REVISED. (CORRECTION)

LEGEND

- (W) WELL
- [ ] SEPTIC FIELD (MIN. 10,000 ☐')
- ▲ NEGATIVE TEST PIT
- ● POSITIVE TEST PIT

REASON FOR 4TH AMENDMENT
THE PURPOSE OF THIS PLAT IS TO ADJUST LOT LINES BETWEEN NON DENSITY PARCEL 54, LOTS 55, 56, 57 AND 58 ALONG THE PANHANDLE STRIP SHOWN ON THE PLAT ENTITLED "JERUSALEM MILLS A RESUBDIVISION AND BOUNDARY CORRECTION OF TRACTS A & B OF FIRST AMENDED PLAT ONE OF TWO JERUSALEM MILLS (PLAT 01/135), DATED DECEMBER 19, 1994, RECORDED AMONG THE PLAT RECORDS OF BALTIMORE COUNTY, MARYLAND IN PLAT BOOK S.M. 67 FOLIO 67, IN ORDER TO RELINQUISH THE (KELLER PARCEL) TO CATHERINE A. KELLER TO ELIMINATE OVERLAP IN DEEDS AND TO AMEND THE TRAVERSE STATIONS AND COORDINATES ON WHICH THIS PLAT IS BASED.

"THIS CHANGE IS NON - MATERIAL FOR THE OVERALL DEVELOPMENT AND THE LOT OWNERS OF THE CHANGES MUST SIGN THE RECORD PLAT PRIOR TO RECORDING".

4TH AMENDMENT

NOTE: PARCEL 'A' TO BE DEEDED TO ADJACENT PROPERTY OWNER AS PART OF RESUBDIVISION PROCESS.

REASON FOR FIRST AMENDMENT:
- TO ADJUST LOT LINE BETWEEN LOTS 22 & 23

NOTE: NO LOTS WITHIN 300' OF CHANGE STATED IN REASON FOR FIRST AMENDMENT ARE SOLD EXCEPT LOT 31

NOTE:
DEVELOPER HAS NO INTENTION OF UTILIZING EX. GREENHOUSE LA. AS A MEANS OF ACCESS

OFFICE OF PLANNING & ZONING APPROVED FOR:	
DIRECTOR OF PLANNING	DATE
DIRECTOR OF P.D.M.	DATE

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(301) 825-6120

*FOURTH AMENDED G.W. STEPHENS & ASSOC. DEC. 13TH 1995

FINAL DEVELOPMENT PLAN

* JERUSALEM MILLS

Drafting GAG	DATE	REVISIONS
Check SBJ	6-19-00	REVISED 1-C WELL & SEPTIC PER COMMENTS
Design SLP	1-4-00	WELL & SEPTIC AREAS REVISED
Check SBJ	11-22-00	LEGEND ADDED
	11-22-00	WELL, SEPTIC AREAS & TEST PITS SHOWN

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
BALTIMORE 6605 YORK RD (301) 377-2600 MARYLAND

PREPARER
SHARON DALE, INC.
411 E. JOPPA RD
BALTIMORE MD 21236
823-4499

* D.R.C. (3/22/93)
PROJECT #2223C (REFINEMENT)
DIRECTIVE: AMEND F.D.P. & RECORD PLAT

SHEET	DATE	CONTRACT NUMBER
2 OF 3	NOV 21, 1990	87-151
	SCALE 1"=100'	

A BCE INC BALTIMORE

05-315 SPA

B

SOILS LIMITATIONS:

TYPE	CLASS	Acr	Homesites w/Basement	Homesites w/o Basement	Streets/Parking Lots
NY	D	23.81	SEVERE: HIGH WATER TABLE FLOODING HAZARD	SEVERE: HIGH WATER TABLE FLOODING HAZARD	SEVERE: HIGH WATER TABLE FLOODING HAZARD
ICB	C	20.03	MODERATE: MODERATELY HIGH WATER TABLE	SLIGHT	MODERATE: MODERATELY HIGH WATER TABLE
EsB	B	12.38	SLIGHT	SLIGHT	MODERATE: SLOPE
EsC2	B	3.71	MODERATE: SLOPE	MODERATE: SLOPE	SEVERE: SLOPE
LeB2	C	10.21	SLIGHT	SLIGHT	MODERATE: SLOPE
LeC2	C	4.19	MODERATE: SLOPE	MODERATE: SLOPE	SEVERE: SLOPE
LeD2	C	.90	SEVERE: SLOPE	SEVERE: SLOPE	SEVERE: SLOPE
LfC	C	2.86	MODERATE: STONINESS SLOPE	SLIGHT TO MODERATE SLOPE	SEVERE: SLOPE
LfD	C	.56	SEVERE: SLOPE	SEVERE: SLOPE	SEVERE: SLOPE
LgC3	C	17.15	MODERATE: SLOPE	MODERATE: SLOPE	SEVERE: SLOPE
LgD3	C	.13	SEVERE: SLOPE	SEVERE: SLOPE	SEVERE: SLOPE
NeB2	B	5.38	SLIGHT	SLIGHT	MODERATE: SLOPE
ReC2	B	4.31	MODERATE: SLOPE	MODERATE: SLOPE	SEVERE: SLOPE
WcB	D	1.43	SEVERE: HIGH WATER TABLE POOR NATURAL DRAINAGE	SEVERE: HIGH WATER TABLE POOR NATURAL DRAINAGE	SEVERE: HIGH WATER TABLE POOR NATURAL DRAINAGE

*- INDICATES PRIMARY WETLAND SOIL.

ADDITIONAL NOTES:

- EXISTING ACCESS FOR LOT #4 TO BE ABANDONED (XXX) PROVISIONS FOR A NEW ACCESS FROM ROAD 'A' SHALL BE MADE.
- BE ADVISED THAT LOTS #3 & #5 SHALL HAVE THEIR RESPECTIVE ACCESS DRIVES FROM ROAD 'A' & NOT EXISTING JERUSALEM ROAD.
- THIS PROPOSED DEVELOPMENT IS IN CLOSE PROXIMITY TO ACTIVE AGRICULTURAL OPERATIONS. DEVELOPER IS RESPONSIBLE FOR ADVISING FUTURE HOMEOWNERS THAT AGRICULTURAL ACTIVITIES HAVE A PREFERRED STATUS IN THE IMMEDIATE AREA.
- IF ANY EXISTING BUILDINGS TO REMAIN DO NOT MEET B.400 (B.C.Z.R.), INCLUDING HEIGHT, THEN PRIOR TO ANY OTHER ZONING APPROVALS IN THE SUBDIVISION, VARIANCES MUST BE SUCCESSFULLY PETITIONED FOR. IF THE VARIANCES ARE GRANTED, THEN THE DWELLING PERMIT APPROVAL ON LOT #3 MUST THEN PRECEDE ALL OTHER ZONING APPROVALS IN THE SUBDIVISION.
- DEVELOPER TO PROVIDE CLEARING & GRADING ALONG EX. JERUSALEM ROAD AS NECESSARY.
- IF ANY EXISTING BUILDINGS ASSOCIATED W/ THE EX. DWELLING (LOT #4) ARE TO REMAIN & THEY DO NOT MEET B.400 (B.C.Z.R.), INCLUDING HEIGHT, THEN ZONING VARIANCES (PUBLIC HEARING) MUST BE OBTAINED TO BRING THESE BUILDINGS INTO COMPLIANCE.
- ALL BUILDINGS TO BE RAZED SHALL BE SURVEYED FOR ASBESTOS PRIOR TO RAZING & REPORTS MADE.

- "NO PARKING" SIGNS SHALL BE POSTED PROHIBITING PARALLEL PARKING ON 24' WIDTH STREETS & WITHIN THE TURNAROUND AREAS.
- WATER SUPPLY FOR FIRE PROTECTION SHALL BE PROVIDED IN ACCORDANCE WITH THE URBAN GUIDE FOR FIRE PREVENTION & CONTROL: WATER PLANNING.

4TH AMENDMENT

THIS CHANGE IS NON-MATERIAL FOR THE OVERALL DEVELOPMENT AND THE LOT OWNERS OF THE CHANGES MUST SIGN THE RECORD PLAT PRIOR TO RECORDING.

REASON FOR 4TH AMENDMENT

THE PURPOSE OF THIS PLAT IS TO ADJUST LOT LINES BETWEEN NON DENSITY PARCEL 54, LOTS 55, 56, 57 AND 58 ALONG THE PANHANDLE STRIP SHOWN ON THE PLAT ENTITLED "JERUSALEM MILLS A RESUBDIVISION AND BOUNDARY CORRECTION OF TRACTS A & B OF FIRST AMENDED PLAT ONE OF TWO JERUSALEM MILLS (PLAT 61/139)", DATED DECEMBER 19, 1994, RECORDED AMONG THE PLAT RECORDS OF BALTIMORE COUNTY, MARYLAND IN PLAT BOOK S.M. 67 FOLIO 87, IN ORDER TO RELINQUISH THE (KELLER PARCEL) TO CATHERINE A. KELLER TO ELIMINATE OVERLAP IN DEEDS AND TO AMEND THE TRAVERSE STATIONS AND COORDINATES ON WHICH THIS PLAT IS BASED.

LOT AREAS

LOT NO.	AREA(Ac)	LOT NO	AREA
3	1.5	31	1.23
5	3.10	32	2.20
12	2.85	33	2.95
10	1.90	36	1.85
12	1.39	37	1.65
13	1.92	39	1.92
14	1.00	41	1.64
15	1.21	42	3.50
16	1.07	45	1.72
17	1.23	46	1.88
18	1.20	48	1.30
19	1.37	49	2.77
20	1.0	54	19.58
21	1.0	55	4.15
22	1.17	56	3.80
23	2.28	57	3.62
24	1.02	58	2.35
25	1.14	REMAINDER PARCEL	0.13
26	1.07	PARCEL 'A'	=0.19 Ac
27	1.16	PARCEL	= 0.65 Ac
28	1.17	ROADS	= 6.13 Ac
29	1.23		
30	1.06	TOTAL	116.53 AC±

ADDITION TO 1.28

3.10 Ac.±	ACREAGE FROM FORMER TRACT 'B' NOW MADE PART OF LOTS 41 THROUGH 49
3.35 Ac.±	
0.09 Ac.±	
0.70 Ac.±	
0.27 Ac.±	
(6.44 Ac.±)	ACREAGE FROM FORMER TRACT 'A' MADE PART OF LOT 54

NOTE: FOR COMPUTED BEARINGS & DISTANCES SEE RECORD PLAT.

*PART OF FORMER TRACT 'A' & P/O FORMER TRACT 'B'

NOTE: CRG APPROVAL WAS GRANTED FOR 40 LOTS

GENERAL NOTES

SITE DATA:

1. ELECTION DISTRICT NO 11 — WATERSHED NO. 7
   COUNCILMANIC NO 5 — SUBWATERSHED NO (NONE)
   CENSUS TRACT NO 4111.02 — EXISTING & ADJACENT ZONING RC-5 (SITE HAS BEEN ZONED RC-5 SINCE 1976)
2. - SITE AREA:
   NET - 115.10 Ac±
   GROSS 115.69 Ac± (INCLUDES ½ OF JERUSALEM RD R/W)
3. - DENSITY CALCULATIONS:
   ALLOWED = 116.36 Ac. × .667 DWELLING UNITS/AC. = 77.49 DU. (77)
   PROPOSED = 40 UNITS (35 EX. LOTS + 2 NEW LOTS - 2 TRACTS)
4. - AVERAGE DAILY TRIPS:
   FOR SINGLE FAMILY DETACHED LOT = 70', 12.4 A.D.T./UNIT
   12.4 A.D.T./UNIT × 40 UNITS = 496 AVER. DAILY TRIPS
5. - PARKING REQUIREMENTS:
   REQUIRED 40 UNITS × 2/DU = 80 PARKING SPACES
   PROPOSED 80 PARKING SPACES (ALL OFF-STREET)
6. - LANDSCAPE REQUIREMENTS:
   REQUIRED: 1 TREE/UNIT = 40 TREES
   TYPE & MIX TO BE DETERMINED BY BALTIMORE COUNTY LANDSCAPE MANUAL
7. - LOCAL OPEN SPACE:
   REQUIRED: NONE

8. THERE ARE NO HISTORIC BUILDINGS ON SITE
9. PANHANDLE DRIVES TO BE PAVED WITH A DURABLE DUSTLESS SURFACE OF BITUMINOUS CONCRETE OR MACADAM
10. WETLANDS TO BE VERIFIED BY FIELD SURVEY. NO GRADING, CLEARING OR DISTURBANCE IS ALLOWED WITHIN ANY VERIFIED WETLANDS, EXCEPT AS PERMITTED BY BALTIMORE COUNTY WATER QUALITY MANAGEMENT POLICY.
11. THERE ARE NO KNOWN CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON THIS SITE.
12. A STORMWATER MANAGEMENT WAIVER HAS BEEN APPLIED FOR. WAIVER APPROVED UNDER SECTION 2-1803.3.(c)1.
13. A FINAL LANDSCAPE PLAN MUST BE APPROVED BY THE BALT. CO. PLANNING OFFICE PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
14. EXISTING WELL TO BE ABANDONED SHALL BE BACKFILLED BY A LICENSED WELL DRILLER & A REPORT MADE.

▲ INDICATES STREET LIGHTS

17. THE EXISTING VEGETATION IS COMPRISED MAINLY OF CROPLAND W/ SCATTERED WOODED AREAS. THE STREAM COURSES ARE BORDERED BY WOODS. THE EXISTING TOPOGRAPHY IS GENTLE TO MODERATELY SLOPING FROM THE N. END OF SITE TOWARD THE TRIBUTARY OF THE LITTLE GUNPOWDER FALLS LOCATED AT THE SOUTH & WEST OF THE SITE. EXISTING WOODED AREAS TO BE RETAINED WHERE POSSIBLE.
16. THERE ARE NO KNOWN FUEL TANKS EXISTING ON SITE.
17. STREAM BUFFER TO BE 50' OFFSET FROM EX. STREAM. NO CLEARING, GRADING OR DISTURBANCE SHALL OCCUR WITHIN THE STREAM BUFFER EXCEPT AS PER BALTIMORE COUNTY WATER QUALITY MANAGEMENT POLICY.
18. ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE, BUT MUST COMPLY WITH SECTIONS 400 & 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS. (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS.)
19. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARD CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS.
20. THIS DEVELOPMENT PLAN IS APPROVED BY THE ZONING COMMISSIONER BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS, THAT IT COMPLIES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER DIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.
21. THE EXACT LOCATION OF CURB CUTS FOR DRIVEWAYS OR PARKING PAD ENTRANCES IS TO BE DETERMINED BY OWNER WHEN EXACT BUILDING MODELS BECOME AVAILABLE BUT PRIOR TO INSTALLATION OF STREET CURBS.
22. IF DRAINAGE, UTILITY & WALKWAY EASEMENTS ARE FENCED, THAN AT LEAST 5 FEET MUST REMAIN OPEN FOR PEDESTRIAN ACCESS.
23. THIS DEVELOPMENT PLAN COMPLIES WITH THE CRG PLAN AND ALL CRG COMMENTS.
24. A LANDSCAPE PLAN MUST BE APPROVED BY THE OFFICE OF PLANNING PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
25. ▲ DENOTES STANDARD STREET LIGHT.
26. PRIVATE PARKING AREAS, DRIVEWAYS AND PANHANDLE DRIVES SHALL BE PAVED IN ACCORDANCE WITH THE PROVISIONS OF SECTION IX.A.2 OF THE C.M.D.P. OR ZONING POLICY BM-11 (DURABLE DUSTLESS BITUMINOUS CONC., MACADAM OR PORTLAND CEMENT CONC.)
27. ALL PROPOSED DWELLINGS TO BE SOLD.
28. TRASH COLLECTION TO BE BY BALTIMORE COUNTY W/ FRONT OF LOTS (TRASH PAD DETAIL SHOWN FOR PANHANDLE LOT 45)

NOTE: B.G.E. R/W 880/241 & 880/190 INCLUDED IN DENSITY CALCULATIONS. SEE R/W PLATS 61-B-124-126.

	ADDRESS OF SITE & OWNER	SIGNATURES
LOT #43	#2 JERUSALEM CT. RAMON K. SOOD	*
LOT #46	#4 JERUSALEM CT. KEITH A. & KAREN M. RANDLETT	* *
LOT #41	#5 JERUSALEM CT. SHAWN D. & MARILYN R. DELCHER	* *
LOT #49	#6 JERUSALEM CT. ROBERT F. CHANEY	*
LOT #42	#7 JERUSALEM CT. SUPERIOR BUILDING SYSTEMS C/O ERWIN H. HOWES	*
LOT #45	#8 JERUSALEM CT. O.S. MOORE REAL ESTATE REL. TRUST C/O O.S. MOORE	*
LOT #54	#12209 GLENBAUR RD SHARONDALE INC. C/O O.S. MOORE	* Vice President

WE THE ABOVE SIGNED, APPROVE OF THE CHANGES STATED IN THE REASON FOR SECOND AMENDMENT:

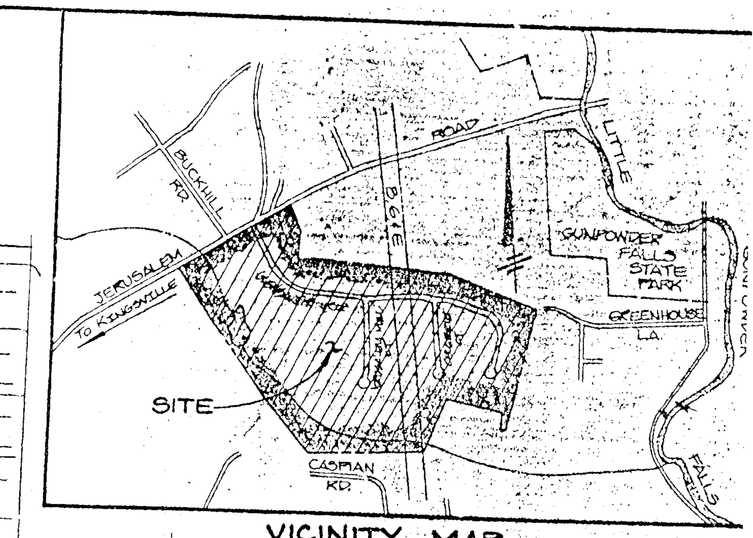
NOTE: BESIDES THE SIGNATURES ABOVE NO LOTS HAVE BEEN SOLD WITHIN 300' OF THE CHANGE.

REASONS FOR FIFTH AMENDMENT:

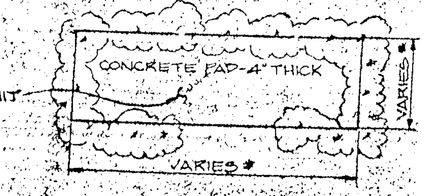
- To add a private roadway extension within a portion of the remaining lands, labeled as Parcel "A", in order to access the Fischer Property, which is currently being developed.
- To show this Roadway Area and associated R/W as part of the "HOA Common Area and Private Ingress and Egress Easement" of the Fischer Property.
- To include the remainder of Parcel "A" within the Boundaries of the adjoining Proposed Lot 1 of the Fischer Property Development.
- To add a 100 Yr. Flood Plain, Drainage and Utility Easement, and Forest Conservation Easement within a portion of Parcel "A".
- To add Wetlands and a Forest Buffer to Parcel "A", as delineated by Eco-Science Professionals, Inc.
- To reflect the change in ownership of Parcel "A".

STATE OF MARYLAND — JEFFREY JOSEPH FISCHER — No. 17729 — REGISTERED PROFESSIONAL ENGINEER

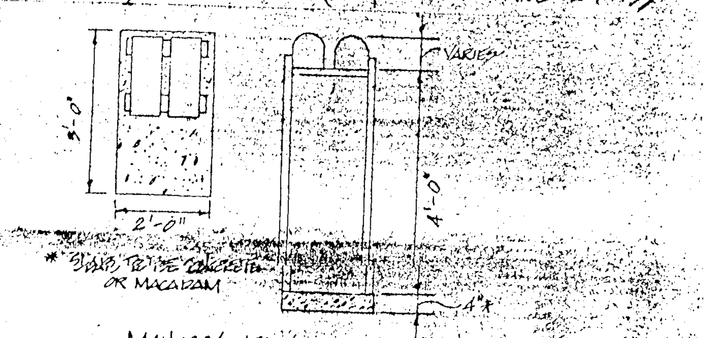
FIFTH AMENDED BY WILSON DESIGN AND ASSOC. INC.



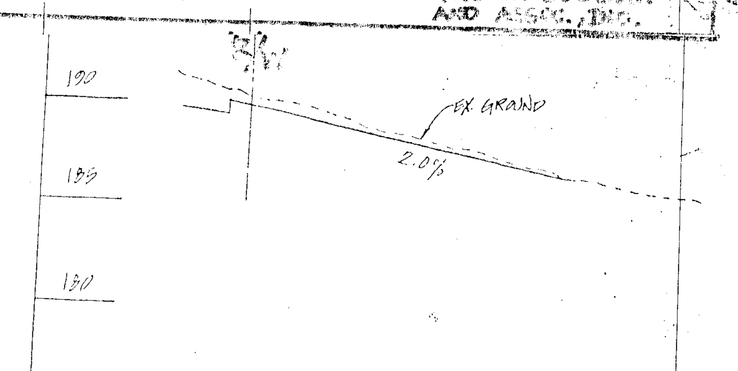
VICINITY MAP
SCALE: 1"=1000'



TRASH PAD DETAIL
(NOT TO SCALE)
(FOR PANHANDLE DRIVE - LOT #45)



MAILBOX PAD DETAIL
NOT TO SCALE
(FOR PANHANDLE DRIVE - LOT #45)



PANHANDLE PROFILE - LOT #45
SCALE: VERT 1"=5'
HORIZ 1"=50'

3RD AMENDMENT
BY G.W.S. ASSOC. DEC. 1993

REASON FOR THIRD AMENDMENT:
TO CORRECT THE LOT AREAS SHOWN IN THE CHART ON SHEET 3 OF 3 SO THAT THEY MATCH THE AREAS SHOWN ON THE RECORD PLAT AND THE PARCELS CREATED BY THE 2ND AMENDED F.D.P.

R.C.-5 ZONING REGULATIONS
- MINIMUM LOT SIZE: ONE (1) ACRE
- MAXIMUM GROSS DENSITY: .667 DU/ACRE
- SETBACK FROM "A" STREET: 75'
- SETBACK FROM ANY LOT LINE (NON-STREET): 50'
- MAXIMUM BUILDING COVERAGE: 15% OF LOT
- MAXIMUM BUILDING HEIGHT: 35'
- NO OPEN SPACE REQUIREMENT

* D.R.C. (3/22/93) PROJECT # 2223C (REFINEMENT) DIRECTIVE: AMEND F.D.P. & RECORD PLAT

2ND AMENDMENT
STATE OF MARYLAND — GEORGE WILLIAM STEPHENS, JR. — No. 9820 — PROFESSIONAL ENGINEER — 6-16-94

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(301) 825-8120

2ND AMENDMENT REVISIONS (SEE SH. 3 OF 3 ALSO) NOVEMBER 9, 1993

1) AREAS OF EXISTING TRACTS A & B ARE PROPOSED AS LOTS 55, 56, 57, & 58. PANHANDLE DRIVEWAY SHOWN. & P/O LOT #54 UPDATE AREAS SH. 3
2) THE 100 YEAR FLOODPLAIN LIMIT IS REVISED.
3) THE FOREST BUFFER EASEMENT AND WETLANDS LIMITS ARE SHOWN ON LOTS 55, 56, 57, & 58. & P/O LOT #54
4) WESTERN TRACT BOUNDARY IS REVISED. (CORRECTION)

REASON FOR SECOND AMENDMENT:
LOTING TRACT 'A' AND 'B' AND ADDING TO EXISTING LOTS PROVIDING FOR 40 LOTS TOTAL AS APPROVED ON THE CRG. PLAN, SHEETS 1 & 3 OF 3. NOTE: NO CHANGES ON SHEET 2

REASON FOR FIRST AMENDMENT:
TO ADJUST LOT LINE BETWEEN LOTS 22 & 23

NOTE: NO LOTS WITHIN 300' OF CHANGE STATED IN REASON FOR FIRST AMENDMENT ARE SOLD EXCEPT LOT 31.

(OFFICE OF PLANNING & ZONING) Approved by: — DIRECTOR OF PLANNING — DATE 12/28/93
DIRECTOR OF - P.D.M. — DATE

DATE OF APPROVED CRG PLAN 3 10 88

*FOURTH AMENDED G.W. STEPHENS & ASSOC. DEC. 13TH 1995

FINAL DEVELOPMENT PLAN

*JERUSALEM MILLS

DRAWN GMG	DATE	REVISIONS
CHECK SBS		
DESIGN OLD		
CHECK SBS		

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
BALTIMORE MARYLAND

OWNER/DEVELOPER
SHARONDALE, INC.
4111 E. JOPPA RD.
BALTIMORE, MD 21236
529-4609

DEED REFERENCE:
EDITH B. ZINSER 5301/137 - TAX MAP 55, F 53
TAX ACCOUNT #: 11-0603976215

SHEET	DATE	CONTRACT NUMBER
3 OF 3	NOV 21, 1990	87-151
	SCALE: 1"=100'	

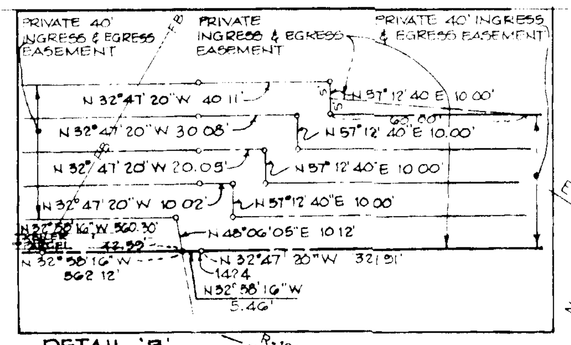
OS-315-SPA
C

GENERAL NOTES

1. THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 26-216
2. THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY
3. THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT
4. ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS
5. THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THE PLAT
6. THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
7. THE CRG PLAN FOR THE PROPERTY SHOWN ON THIS PLAT WAS APPROVED ON 3/10/88 D.R.C. 3/22/93, PROJECT #2223C (REFINEMENT) DIRECTIVE: AMEND F.D.P. & RECORD PLAT
8. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
9. EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY
10. THE AREA DESIGNATED AS A FLOODPLAIN INCLUDES THE AREA INUNDATED BY THE 100-YEAR FREQUENCY STORM AND A MINIMUM OF 1 FOOT VERTICAL FREEBOARD. THE ELEVATIONS SHOWN ON THE FLOODPLAIN SECTIONS ARE THE 100-YEAR DESIGN FREQUENCY SURFACE ELEVATIONS
11. THIS SITE IS LOCATED IN WATERSHED 7, SUBSEWERSHED 81
12. TOTAL AREA OF LOTS 55 THRU 58 13.8279 AC ±
13. TOTAL AREA OF PLAT 20.4912 AC ±
14. 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
15. EXISTING ZONING RC-5
16. TRASH COLLECTION, SNOW REMOVAL, AND ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF THE PANHANDLE AND STREET RIGHTS OF-WAY
17. SOIL PERCOLATION TESTS WILL BE VALID FOR A PERIOD OF FIVE YEARS FROM THE DATE THE RECORD PLAT IS SIGNED BY THE DIRECTOR, DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT AT THE EXPIRATION OF THIS PERIOD, NEW TESTS MAY BE REQUIRED
18. ALL REQUIREMENTS OF THE MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT AND BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT PERTAINING TO PRIVATE WATER AND/OR SEWAGE SYSTEMS MUST BE COMPLIED WITH PRIOR TO APPROVAL OF BUILDING APPLICATIONS
19. NON-DENSITY PARCEL 15 CONSIDERED TO BE NON CUMULATIVE ADDITIONS TO EXISTING LOT NUMBERED THE SAME
20. DEED REFERENCE S.M. 11104/545 LOTS 55, 56, 57 AND 58
    S.M. 8277/733 NON DENSITY PARCEL 54
21. TAX ACCOUNT NO. 22-00-022914 THRU 22-00-022917 LOTS 55 THRU 58
    22-00-022913 NON DENSITY PARCEL 54

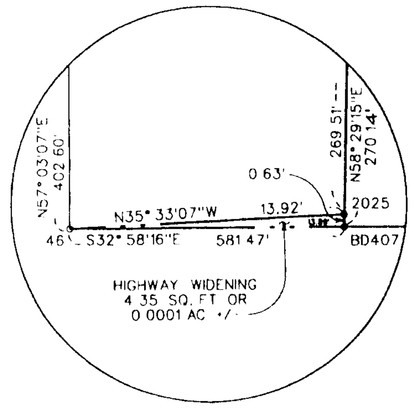
LEGEND

PLAT OUTLINE
LOT LINE
EX. DRAINAGE & UTILITY EASEMENT
100 YEAR FLOODPLAIN
WETLANDS LINE
FOREST BUFFER EASEMENT
LOT NUMBER 45
EX. 100 YEAR FLOODPLAIN / DRAINAGE / UTILITY EASEMENT

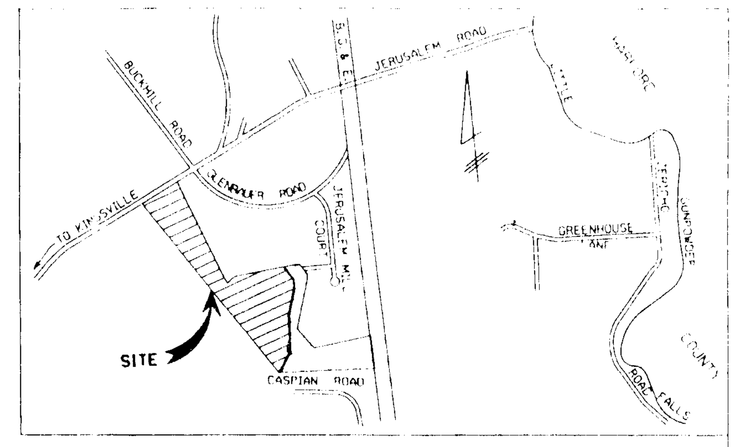


DETAIL 'B'
SCALE: 1" = 20'

CURVE DATA						
NO	DELTA	RADIUS	LENGTH	CHD BEARING	CHD LENGTH	TANGENT
2	2°06.38"	3530.00'	130.03'	N57°25'56"E	130.03'	65.02'



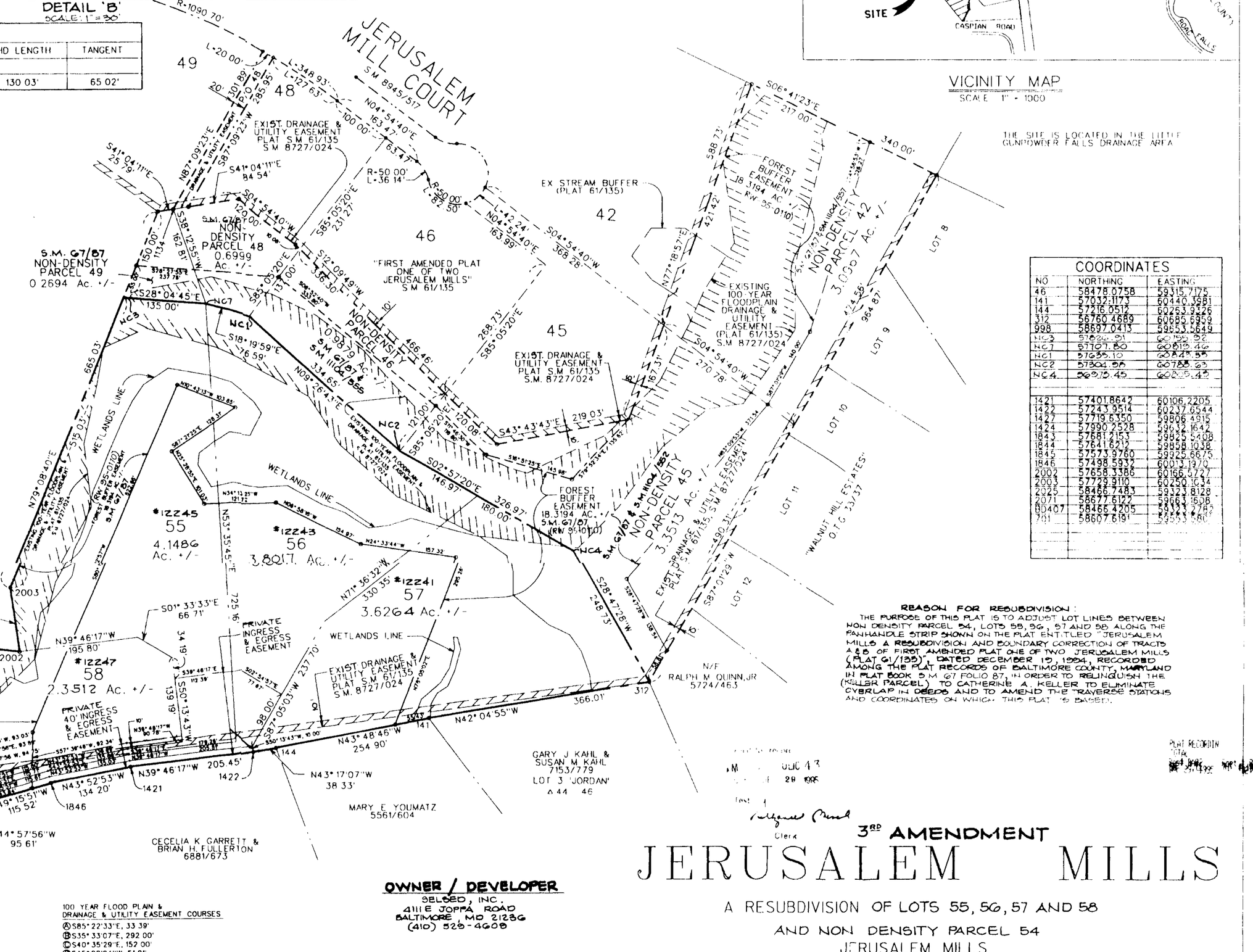
DETAIL 'A'
SCALE: 1" = 5'



VICINITY MAP
SCALE: 1" = 1000'

THE SITE IS LOCATED IN THE LITTLE GUNPOWDER FALLS DRAINAGE AREA

COORDINATES		
NO	NORTHING	EASTING
46	58478.0758	59315.7175
141	57032.1173	60440.9981
144	57216.0513	60253.9426
312	56760.4669	60680.6959
998	58697.0413	59553.5649
NG3	57820.93	60399.82
NG7	57707.80	60612.46
NG1	57656.10	60648.53
NG2	57504.56	60785.53
NG4	56915.45	60815.42
1421	57401.8642	60106.2205
1422	57243.9514	60237.0544
1427	57719.5350	59806.4915
1424	57590.2528	59923.1642
1843	57681.2153	59925.5408
1844	57641.6212	59958.1038
1845	57571.9760	59925.6675
1846	57498.5932	60033.1970
2002	57658.3386	60166.5727
2003	57729.9110	60250.1634
2025	58484.7481	59523.8128
2071	58677.6122	59853.1508
BD407	58466.4205	59553.7743
701	58607.6191	59553.5801



"FIRST AMENDED PLAT ONE OF TWO JERUSALEM MILLS" S.M. 61/135

NOTE: FOREST BUFFER EASEMENT TO BE ACCESSED FROM JERUSALEM ROAD

NOTE: FOR BUILDING SETBACK LINES SEE FINAL DEVELOPMENT PLAN

100 YEAR FLOOD PLAIN & DRAINAGE & UTILITY EASEMENT COURSES
Ⓐ S85°22'33"E, 33.39'
Ⓑ S35°33'07"E, 292.00'
Ⓒ S40°35'29"E, 152.00'
Ⓓ S45°02'04"W, 51.91'
Ⓔ N44°57'56"W, 44.10'
1844-1843 N39°26'05"W, 51.26'
1843-1427 N26°22'24"W, 42.88'
1427-1424 N32°47'20"W, 321.91'
Ⓕ N32°58'16"W, 14.94'
CONTAINING 0.4141 AC. +/-

OWNER / DEVELOPER
SELSED, INC.
4111 E JOPPA ROAD
BALTIMORE, MD 21236
(410) 529-4608

OWNER / DEVELOPER
SHARONDALE, INC.
4111 E JOPPA ROAD
BALTIMORE, MD 21236
(410) 529-4609

REASON FOR RESUBDIVISION:
THE PURPOSE OF THIS PLAT IS TO ADJUST LOT LINES BETWEEN NON DENSITY PARCEL 54, LOTS 55, 56, 57 AND 58 ALONG THE PANHANDLE STRIP SHOWN ON THE PLAT ENTITLED "JERUSALEM MILLS A RESUBDIVISION AND BOUNDARY CORRECTION OF TRACTS A & B OF FIRST AMENDED PLAT ONE OF TWO JERUSALEM MILLS (PLAT 61/135)", DATED DECEMBER 19, 1994, RECORDED AMONG THE PLAT RECORDS OF BALTIMORE COUNTY, MARYLAND IN PLAT BOOK S.M. 67 FOLIO 87, IN ORDER TO RELINQUISH THE (KELLER PARCEL) TO CATHERINE A. KELLER TO ELIMINATE OVERLAP IN DEEDS AND TO AMEND THE TRAVERSE STATIONS AND COORDINATES ON WHICH THIS PLAT IS BASED.

PLAT RECEIVED
JUL 13 1995
28 1995
Clerk

3RD AMENDMENT
JERUSALEM MILLS

A RESUBDIVISION OF LOTS 55, 56, 57 AND 58
AND NON DENSITY PARCEL 54
JERUSALEM MILLS
(PLAT 67/87)

BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 100'

ELECTION DISTRICT 11C5
DATE: NOVEMBER 28, 1995

NOTE
HIGHWAYS AND HIGHWAY WIDENINGS, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, ACCESS EASEMENTS, FOREST BUFFER AREAS IN FEE OR EASEMENT, GREENWAY AREAS IN FEE OR EASEMENT, AND STORM WATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON ARE RESERVED UNTO THE OWNER AND EXCEPT FOR THOSE INDICATED AS PRIVATE, ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND, THE OWNER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS WILL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY MARYLAND AT NO COST

NOTE:
COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE FOLLOWING TRAVERSE STATIONS.

15B09	N 56595.24	E 60075.18
15B08	N 56560.72	E 59430.39

NOTE:
THE STREETS AND/OR ROADS AS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS ARE FOR THE PURPOSE OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE, THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS

OWNERS CERTIFICATE:
THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, HEREBY CERTIFIES THAT, TO THE BEST OF ITS KNOWLEDGE, THE REQUIREMENT OF SUBSECTION (C) OF SECTION 3-108 OF THE NEW PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INSOFAR AS SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS

ORMSBY S. MOORE, PRESIDENT, SELSED, INC. — DATE 12-7-95
ORMSBY S. MOORE, PRESIDENT, SHARONDALE, INC. — DATE 12-7-95

SURVEYORS CERTIFICATE:
THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C)(5) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, INSOFAR AS SAME CONCERNS THE MAKING OF THE PLAT AND SETTING OF THE MARKERS

REG. NO. 10856 — DATE 11/28/95

APPROVED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
DIRECTOR — DATE 12-28-95

APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT PURSUANT TO SECTION 26-215(C), BALTIMORE COUNTY CODE.
12-29-95 — DATE
DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT

GWS
GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
808 KENILWORTH DRIVE
SUITE 100
TOWSON, MARYLAND 21204

P.W.A. COMPLETED N/A TBA
FINAL PLAT CHECKED
PLANNING
ENGINEERING
HO/SF MOS
LAND ACQUISITION TBA 12-29-95
REC & PARKS
REC 12-29-95

COMPUTED BY EVS CHECKED BY WEE & DHL
DRAWN BY JAS & FTD W.O. NO. 7200

MSA SSU 1236-9393

2,15

68-43

Q-NE QQ-NW
UU-SE TT-SW

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

Joseph Bertoldi
Chairman, County Council

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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200'±	SOUTH OF JERUSALEM	N. E.
DATE OF PHOTOGRAPHY JANUARY 1986		15- K

NE 15 K

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