IN RE: PETITION FOR SPECIAL HEARING

SE/Corner White Marsh Boulevard and

Philadelphia Road

(10455 Philadelphia Road)

11th Election District

5th Council District

White Marsh Holdings, LLC Petitioner

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 06-333-SPH

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, White Marsh Holdings, LLC, through its attorney, Howard L. Alderman, Jr., Esquire. The Petitioners request a special hearing seeking approval of a waiver, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), of Section 517.2 of the Baltimore County Building Code¹, and Sections 32-4-414, 32-8-301, and 32-4-107 of the Baltimore County Code, to permit stream restoration, culvert crossing removal, and culvert crossing construction in a riverine floodplain. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Kurt Blorstad, of Baywood Hotels, the proprietor of the proposed business use on the subject property, Carl R. Corse, the Professional Engineer who prepared the site plan for this property, and Howard L. Alderman, Jr., Esquire, attorney for the Petitioners Murray deMuff appeared as an interested citizen, both individually and on behalf of the Maryland Saltwater Sportsmen Association, whose purpose is to protect and promote the wellbeing of the Chesapeake Bay. Mr. deMuff's concerns were satisfactorily addressed by Mr. Corse at the hearing. There were no other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the southeast corner of Philadelphia Road (Maryland Route 7) and Industrial Park Road East, adjacent to the off-ramp of Maryland Route 43 (White Marsh Boulevard) in White Marsh. The property contains a gross area of 7.366 acres, more or less, split zoned M.L.-I.M and M.H.-I.M. and is currently vacant. The Petitioner is desirous of developing the property with a four-story, Holiday Inn Express, containing 99 guestrooms. Access to the facility will be from Industrial Park Road East on the west side of the property; however, due to environmental constraints associated with the property, a portion of the proposed entrance drive is located within a riverine floodplain. As shown on the site plan, the property abuts a perpetual easement facility for drainage, and contains a stream and wetlands. Thus, the proposed development will occur in the eastern portion of the property. The State Highway Administration (SHA), the agency controlling both Maryland Route 7 and Industrial Park Road East, after conducting a thorough study, prefers the access location and has already constructed the necessary stub for the proposed entrance drive.

Section 32-4-414 of the Code prohibits and regulates development and disturbance in a riverine floodplain. Moreover, the Floodplain Management Program, as set out in Sections 32-8-301 and 32-8-303 of the Code, provides for a waiver from these requirements. In order to "develop" the subject property as proposed, with the amenities described, i.e., removal of the existing culvert, perform stream restoration and construction of a culvert crossing described at the hearing, the requisite Petition for Special Hearing and waiver is requested.

Testimony and evidence offered at the hearing established that the impact of the proposed development will be minimal and will not disturb the floodplain. Moreover, it is clear that the amenities offered are consistent with sound floodplain management and will prevent adverse impacts, such as flooding, on downstream properties, and will result in a better management of this site. In other words, the proposed construction will result in a better management of the aquatic resource and prevent adverse impacts such as flooding on downstream

properties and the Chesapeake Bay. In sum, I am persuaded that a grant of the relief is appropriate in this instance.

Pursuant to the advertising, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested should be granted.

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management, dated January 23, 2006, a copy of which is attached hereto and made a part hereof.

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Zoning Commissioner

for Baltimore County

WJW:bjs

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JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

February 22, 2006

Howard L. Alderman, Jr., Esquire Levin & Gann 502 Washington Avenue Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING

SE/Corner White Marsh Boulevard and Philadelphia Road

(10455 Philadelphia Road)

11th Election District – 5th Council District White Marsh Holdings, Inc. - Petitioners Case No. 06-333-SPH

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, 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 WISHMAN, III
Zoning Commissioner

for Baltimore County

WJW:bjs

cc: Mr. Kurt Blorstad, Baywood Hotels, c/o White Marsh Holdings, Inc.

7871 Belle Point Drive, Greenbelt, Md. 20770

Mr. Carl R. Corse, CNA, Inc., 215 Bynum Road, Forest Hill, Md. 21050

Mr. Murray deMuss, 314 Thornhill Road, Baltimore, Md. 21212

Chesapeake Bay Critical Areas Comm., 1804 West Street, Suite 100, Annapolis, Md. 21401

Development Plans Review. DPDM: DEPRM; People's Counsel; Casé File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

10455 Philadelphia Road

for the property located at White Marsh, MD 21163 which is presently zoned ML-IM MH-IM

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

To approve a waiver pursuant to BCZR Section 500.6, Baltimore County Building Code, Section 517.2 and Baltimore County Code Section 32-4-414, 32-8-301, and 32-4-107 to permit stream restoration, Culvert Crossing removal, and Culvert Crossing construction in a river ine floodplain.

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.

White Marsh Holdings, LLC

Contract Purchaser/Lessee:

FILING

CALDER REGENTED FO

Legal Owner(s):

Name - Type or Print	Name - Type or Print (LITE COND - MANAGENG MEMBER
Signature	Signature
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature
Attorney For Petitioner:	7871 Belle Point Dr 410-984-9494
	Address Telephone No
Howard L. Adderman, Jr. Name-Type or Print () / / /	Greenbelt MD 20770
Type or Print	City State Zip Code
Signature MANA () MANA ()	Representative to be Contacted:
Levin & Gann	CNA, Inc. Curtis J. Lipsey
Сопралу	Name
502 Washington Ave Ste 800 410-321	Address Telephone No
Towson Maryland 21204	Forest Hill MD 21050 To Code
	ESTEMATED LENGTH OF HEARING
Ne No. District Annual Property of the No.	UNIAVAILABLE FOR HEARING
	Section 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1



November 26, 2003

CNA Job No.: 03236

PARTICULAR DESCRIPTION
LAND OF
WHITEMARSH ASSOCIATES, INC.
PHILADELPHIA ROAD, MARYLAND ROUTE 7
ELEVENTH ELECTION DISTRICT
FIFTH COUNCILMANIC TRACT
BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at the beginning of the 1st or North 42°35'52" East 138.68 foot line of Parcel 'B' of that parcel of land conveyed by and described in a deed from Redland Genstar, Inc. to Whitemarsh Associates, Inc., dated 29 January 1999 and recorded among the Land Records of Baltimore County in Liber S.M. 13490 folio 220, running thence and binding on the outlines of said parcel 'B' with the bearings herein being referred to the Maryland State Coordinate System, NAD 83/91;

- 1) North 42°21'29" East 138.68 feet and;
- South 65°47'02" East 328.72 feet to intersect the westerly right of way line of Industrial Park Road East (off-ramp "B" of Whitemarsh Boulevard) as shown on the State Highway Administration Plat number 54220, running thence and binding on said right of way line as shown on plats 54220 and 54221 the seven following courses and distances;
- Southwesterly by a line curving to the right having a radius of 365.00 feet for an arc distance of 225.97 feet, said curve being subtended by a chord bearing South 19°54'31" West 222.38 feet;
- 4) South 35°31'50" West 406.65 feet to a point of curve, and;
- Southwesterly by a line curving to the right having a radius of 405.00 feet for an arc distance of 118.83 feet, said curve being subtended by a chord bearing South 46°03'00" West 118.40 feet;
- 6) North 12°48'22" West 91.92 feet;
- 7) North 35°32'41 West 263.10 feet;
- 8) Northwesterly by a line curving to the left having a radius of 1171.74 feet for an arc distance of 248.35 feet, said curve being subtended by a chord bearing North 41°37'00" West 247.89 feet, and;
- North 47°41'19" West 30.66 feet to intersect the southeasterly right of way line of Philadelphia Road, Maryland Route 7, as shown on the State Highway Administration Plat number 55469, running thence and binding on said right of way line the five following courses and distances:
- 10) North 42°09'53" East 146.18 feet;
- 11) South 47°24'20" Fast 48.29 feet:
- 12) North 42°35'40" East 47.00 feet:



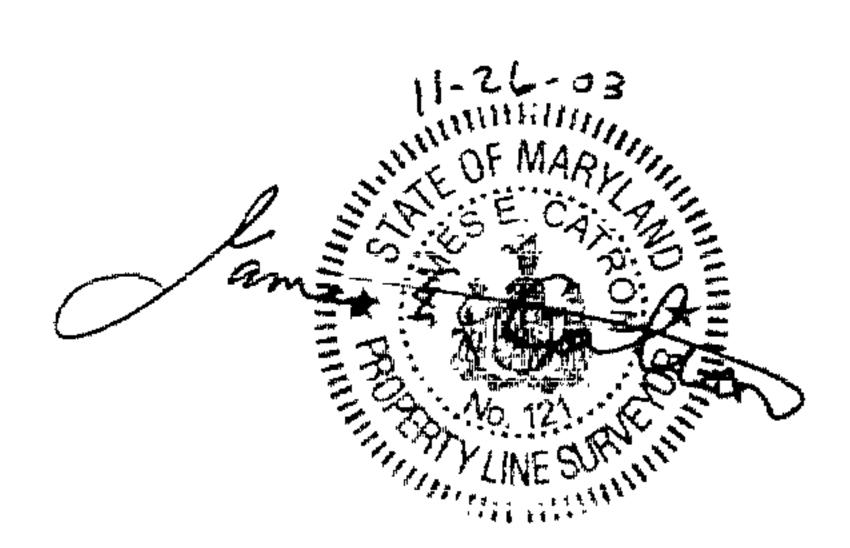
November 26, 2003
CNA Job No.: 03236
PARTICULAR DESCRIPTION
LAND OF
WHITEMARSH ASSOCIATES, INC.
PHILADELPHIA ROAD, MARYLAND ROUTE 7
ELEVENTH ELECTION DISTRICT
FIFTH COUNCILMANIC TRACT
BALTIMORE COUNTY, MARYLAND

- 13) North 47°24'20" West 48.64 feet, and;
- North 42°09'53" East 106.15 feet to intersect the 15th line of the aforesaid deed recorded in Liber S.M. 13490 folio 220, running thence and binding on part of said line;
- 15) South 64°49'14" East 180.95 feet to the point of beginning.

CONTAINING 6.925 acres of land, more or less, as surveyed by Campbell & Nolan Associates, Inc., (CNA) in September 2003.

BEING A PART OF that parcel of land designated as Parcel 'B' of that parcel of land conveyed by and described in a deed from Redland Genstar, Inc. to Whitemarsh Associates, Inc., dated 29 January 1999 and recorded among the Land Records of Baltimore County in Liber S.M. 13490 folio 220.

L:\Survey\03000\03236Baywood\Descriptions\03236Baywood.doc







March 4, 2005

CNA Job No · 03236

REVISED PARTICULAR DESCRIPTION
PARCEL "2"
LAND OF
WHITEMARSH ASSOCIATES, LLC
PHILADELPHIA ROAD, MARYLAND ROUTE 7
ELEVENTH ELECTION DISTRICT
FIFTH COUNCILMANIC TRACT
BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a concrete monument found at the end of the 15th or South 64°36'54" East 191.69 foot line of Parcel 'B' of that parcel of land conveyed by and described in a deed from Redland Genstar, Inc. to Whitemarsh Associates, Inc., a Georgia limited liability company, dated 29 January 1999 and recorded among the Land Records of Baltimore County in Liber S.M. 13490 folio 220, running thence and binding reversely on said line with the bearings herein being referred to the Maryland State Coordinate System, NAD 83/91;

- North 64°49'14" West 154.35 feet, to intersect the southeasterly right of way line of Philadelphia Road, Maryland Route 7 as shown on SHA Plat No. 55469, thence binding on said right of way line;
- North 42°34'22" East 100.01 feet, to intersect the common division line between Lots 1 and 2 as shown on a plat entitled, "Section No. 1 HAMMSHIRE VILLAGE" recorded among the Land Records of Baltimore County, Maryland in Plat Book Liber C.G.H. 18, folio 78, thence binding on said lot line;
- South 64°51'31" East 153.99, to intersect the 1st or North 42°35'52" East 138.68 foot line of said Parcel 'B', thence binding reversely on said 1st line;
- 4) South 42°21'29" West 100.00 feet to the POINT OF BEGINNING.

CONTAINING 0.338 acres of land, more or less, as surveyed by Campbell & Nolan Associates, Inc., (CNA) in September 2003 and updated on January 25, 2005.

BEING ALL that parcel of land conveyed by a deed dated 16 May 2002 from Redland Genstar, Inc. to Whitemarsh Associates, LLC and recorded among the I and Records of Baltimore County, Maryland in Liber 17791, folio 254.

BEING ALSO A PART OF that parcel of land designated as Lot 1 on a plat entitled. "Section No. 1 - HAMMSHIRE VILLAGE" recorded among the Land Records of Baltimore County, Maryland in Plat Book Liber C.G.H. 18, foho 78

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REPRES

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: #06-333-SPH 10455 Philadelphia Road Southeast comer of Whitemarsh Blvd: and Philadelphia Road 1th Election District Stb Councilmanic District Legal Owner(s): White Marsh Holdings, LLC Special Hearing to approve a waiver to permit stream restoration, Culvert Crossing removal and Culvert Crossing removal and Culvert Crossing construction in a riverine floodplain. Hearing: Thursday, February 9, 2006 at 9:00 a.m. in Roem 407, County Courts Spillding, 401 Bosley Avenue, Towson, MD 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County
NOTES: (1) Hearings are
Handicapped Accessible;
for special accommodations Please Contact the
Zoning Commissioner's Office at (410) 887-3868.

(2) For information concerning the File and/or
Hearing, Contact the Zoning Review Office at (410)
887-3391.

UT 1/779 Jan. 24
82208

CERTIFICATE OF PUBLICATION

127,2006
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
$\frac{124}{2006}$
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
S. Willing

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 06 - 333 - SPH

	Petitioner/Developer: White make
	HOLDINGS LLC
	Date of Hearing/Closing: FEB 9, ZX
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	
ATTN: Kristen Matthews {(410) 887-3394}	
Ladies and Gentlemen:	
This letter is to certify under the penalties of posted conspicuously on the property located	perjury that the necessary sign(s) required by law were at:
10455 .Ph14A	DELPHIA RD
The sign(s) were posted on	1-23-06
	(Month, Day, Year)
	Sincerely,
	Signature of Sign Poster) (Signature of Sign Poster) (Date) SSG Robert Black (Print Name) 1508 Leslie Road (Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

Department of Permits and Development Management

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





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

January 17, 2006

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: 06-333-SPH

10455 Philadelphia Road

Southeast corner of Whitemarsh Blvd. and Philadelphia Road

11th Election District, 5th Councilmanic District

Legal Owner: White Marsh Holdings, LLC

Special Hearing to approve a waiver to permit stream restoration, Culvert Crossing removal and Culvert Crossing construction in a riverine floodplain.

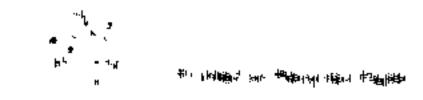
Hearing: Thursday, February 9, 2006 @ 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, MD 21204

Timothy Kotroco Director

TK:raj

C: Howard L. Alderman, Jr., Esquire, Levin & Gann, 502 Washington Ave., Ste. 800, Towson, MD 21204 White Marsh Holdings, Attn: Al Patel, LLC, 7871 Belle Point Dr., Greenbelt, MD 20770 CNA, Inc., c/o Curtis J. Lipsey, 215 Bynum Road, Forest Hill, MD 21050

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JANUARY 25, 2006.
 - (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
 - (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY

Tuesday, January 24, 2006 Issue - Jeffersonian

Please forward billing to:

Baywood Hotels, LLC, Attn: Al Patel (301-345-8700)

7871 Belle Point Drive Greenbelt, MD 20770

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: 06-333-SPH

10455 Philadelphia Road Southeast corner of Whitemarsh Blvd. and Philadelphia Road 11th Election District, 5th Councilmanic District Legal Owner: White Marsh Holdings, LLC

Special Hearing to approve a waiver to permit stream restoration, Culvert Crossing removal and Culvert Crossing construction in a riverine floodplain.

Hearing: Thursday, February 9, 2006 @ 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, MD 21204

WILLIAM J. WISEMAN, III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868,

(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

<u>ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS</u>

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

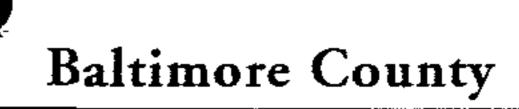
Item Numb	oer or Case Number: 06-333-SPH	
Petitioner:	WHITE MARSH HOLDINGS, LLC	
Address or	r Location: 10455 PHILADELPHIA RD.	
	ORWARD ADVERTISING BILL TO: Baywood Hotels, LLC Attention: Al Patel	
PLEASE F Name: Address: _		
Name:	Baywood Hotels, LLC Attention: Al Patel	

Revised 2/20/98 - SCJ

Department of Permits a Development Management

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





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

February 6, 2006

Howard Alderman Levin & Gann 502 Washington Avenue, Ste. 800 Towson, Maryland 21204

Dear Mr. Alderman:

RE: Case Number: 06-333-SPH, 10455 Philadelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 9, 2006.

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.

U. Callidal S

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

People's Counsel Ç. White Marsh Holdings, LLC 7871 Belle Point Drive Greenbelt 20770 C N A Inc. Curtis Lipsey 215 Bynum Road Forest Hill 21050

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

R. Bruce Seeley, DEPRM

DATE:

January 23, 2006

SUBJECT:

Zoning Item

06-333-SPH

Address

10455 Philadelphia Road (White Marsh Holdings)

Zoning Advisory Committee Meeting of January 16, 2006

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

— X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Market Strategy Market Market Strategy Market Mar

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

This stream restoration is required by DEPRM as a condition of approving an administrative Forest Buffer variance.

Reviewer:

Glenn Shaffer

Date: January 19, 2006

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: January 13, 2006

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

10455 Philadelphia Road

INFORMATION:

Item Number:

Petitioner:

White Marsh Holdings, LLC

Zoning:

ML-IM, MH-IM

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The petitioner requests to enlarge and relocate an existing culvert crossing within a riverine floodplain. The Office of Planning will defer to the Baltimore County Department of Environmental Protection and Resource Management for a recommendation of approval or denial to the Zoning Commissioner.

For further information concerning the matters stated here in, please contact Kevin Gambrill at 410-887-3480.

Division Chicf:

AFKTL CM



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

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

Maryland Department of Transportation

Administration

Date: 1.17.274

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

RE:

Baltimore County
Item No. 333

DI

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

County Office Building, Room 111

JANUARY 20,2006

Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: Zoning Review planners

Distribution Meeting of: January 16,2006 No.:

Item

335

328, 329, 330, 331, (333) 334, 1. The Fire Marshal's Office has no comments a: this time.

> Acting Lt. David Heath Fire Marshal's Office (0)410-887-4197 MS-1102F

T: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director

DATE: January 31, 2006

Department of Permits & Development

Management

FROM: Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For January 23, 2006

Item Nos. 328, 329, 330, 331, 332, 333, and 335

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

DAK:CJAR:clw ce: File

ZAC-NO COMMENTS-01312006 doc

RE: PETITION FOR SPECIAL HEARING 10455 Philadelphia Road; SE corner

Whitemarsh Blvd & Philadelphia Road

11th Election & 5th Councilmanic Districts

Legal Owner(s): White Marsh Holdings, LLC *
Petitioner(s)

FOR

FOR

* BALTIMORE COUNTY

ZONING COMMISSIONER

BEFORE THE

* 06-333-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 sent/documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLES DEMILIO

CAROLE S. DEMILIO Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of January, 2006, a copy of the foregoing Entry of Appearance was mailed to CNA, Inc, Curtis Lipsey, 215 Bynum Road, Forest Hill, MD 21050 and Howard L. Alderman, Jr. Esquire, Levin & Gann, P.A., 502 Washington Avenue, 8th Floor, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

JAN 1 8 2006

PETER MAN ZIMMERMAN

People's Counsel for Baltimore County



NAME

CASE CASE DATE

	CITIZEN'S	S SIGN-IN SHEE!	
AME	ADDRESS	CITY, STATE, ZIP	
1 da Mat	314 Thazish. 11 Rd	BA/h MD 21212	

			+ • • • • • • • •

PLEASE PRINT CLEARLY

CASE NAME White March Holders 1116
CASE NUMBER 05-311-SPH
DATE 09 February 2006

NAME Howard L. Alderman, Jr., Esquire	ADDRESS Levin & Gann, PA Suite 800	TOWSON, MD 21204	
	502 Washington Avenue		
V PARL P CORSE PE	CNA 215 BYNUM RD 4800	FOREST HILL, MID 21850	
hurt Blorstad	7871 Belle Bust Prive	self Mil 2	ING. The sense of
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Exhibit Sheet

Petitioner/Developer

Protestant

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	Site PLAN	
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Curriculum Vitae CARL R. CORSE, P.E. CNA, Inc. Vice President

EDUCATION BACKGROUND:

Bachelor of Science in Engineering, Temple University, 1996 Magna Cum Laude Floodplain Analysis Course (HEC-RAS), Pennsylvania State University, 1997 Advanced Hydrology Course, State Highway Administration, 1998 Fluvial Geomorphology for Engineers, Wildland Hydrology, 1999 River Morphology and Applications, Wildland Hydrology, 2000

PROFESSIONAL REGISTRATION:

Maryland Professional Engineer #25825
Principal and Vice-President of Campbell & Nolan Associates, Inc.
North Carolina Professional Engineer #031275

PROFESSIONAL AFFILIATIONS:

Member and Associate Co-Chairman of Environmental Committee, Maryland Aggregates Association Accepted as an Expert in General Civil Engineering, Prince George's County Zoning Hearing Examiner, 2002

AWARDS AND PUBLISHED PAPERS

Presidential Scholarship Award Recipient, Pennsylvania Asphalt Pavement Association, 1995-1996
John L. Rumpf Award Recipient, Temple University, 1996
Who's Who Among Students in American Universities & Colleges, Temple University, 1994-1995
Society of American Military Engineers Award Recipient, 1993-1994
Transportation Design Award, American Society of Engineers, Temple University, 1996
Case Study: Erosion and Sediment Control for Surface Mine Reclamation, International Erosion Control Association, Proceedings of Conference 29,1998.

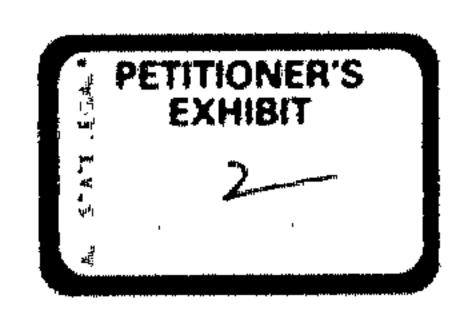
PROJECT EXPERIENCE:

SELECT MUNICIPAL PROJECTS

Woodlawn High School Storm Water Management Retrofit-Baltimore County DEPRM, Maryland Project Manager for the design of a bio-retention facility retrofit for portions of Woodlawn High School. Design includes floodplain impacts, facility design, permitting, and educational coordination for future maintenance and teaching with students of the school.

Panther Branch Stream Restoration-Baltimore County, Hereford, Maryland

Project Manager for Priority III restoration of approximately 400 LF of headwaters of Panther Branch fed by a regional storm water management facility. Design included the transformation of an incised channel into a stable step-pool-niffle system by raising the invert and widening the floodprone area



SELECT COMMERCIAL DEVELOPMENT PROJECTS

FedEx Ground Distribution Center- White Marsh, Maryland

Project manager for development of 16-acre regional trucking facility. Responsibilities included oversight of grading, utility design, storm water management, and coordination of geo-technical analysis and foundation design for building on pile system.

Texas Quarry Reclamation Parkway Village LTD.- Cockeysville, Maryland

Project Engineer responsible for ongoing design and coordination of reclamation of former calcium carbonate surface mine facility. Reclamation includes remediation of former quarry pits using surcharge consolidation strategies, erosion and sediment control, mass grading, templates for rock blasting, and a regional storm water management facility with a 196-acre drainage area. Project also involves the design of an offline shallow marsh facility, a 400 LF reach of stream restoration/relocation, revegetation designs for 3,000 LF of stream through an existing operations area, and cost analysis and feasibility studies for multiple land use strategies.

White Marsh Sand and Gravel Reclamation for White Marsh Associates, LLC-White Marsh, Maryland Project Engineer responsible for mass grading designs, erosion and sediment control plans, and temporary stream crossing designs for reclamation of 200 acres of former sand and gravel surface mines. Designed remediation of silt-filled quarry pits using surcharge/consolidation strategy involving dewatering vertical wicks and horizontal strip drains. Coordinated demolition of operations plant and multi-phase surveys and earthworks analyses.

SELECT STORMWATER MANAGEMENT PROJECTS

Residential

The Fields at Perry Hall Residential Development for Southern Land- Perry Hall, Maryland Project Engineer responsible for performing a hydrology and hydraulic analysis of a four-channel network of unnamed tributaries to the Bird River, including the modeling of culverts at Interstate 95, Joppa Road, and MD Route 7.

SELECT STREAM ENGINEERING / HYDROLOGY & HYDRAULIC ENGINEERING PROJECTS

White Marsh Run Stream Valley Restoration, Baltimore County and Redland Genstar, Inc., White Marsh, Maryland - Project Engineer for an ongoing stream/floodplain restoration including floodplain encroachment analysis, culvert design through existing railroad embankment, floodplain grading and wetland creation, water quality design, stream relocation design, erosion and sediment control. Involved in obtaining numerous waterway construction permits for floodplain fills, stream relocation, and bridge channel design.

CONSTRUCTION IN AREAS SUBJECT TO FLOODING (COUNTY COUNCIL BILL 01-05, EFFECTIVE MARCH 27, 2005)

PETITIONER'S

EXHIBIT

(2)

3112.0 CONSTRUCTION IN AREAS SUBJECT TO FLOODING

1. GENERAL- SELECTED DEFINITIONS

SUBSTANTIAL EMPROVEMENT - ANY REPAIR, RECONSTRUCTION, ALTERATION, OR IMPROVEMENT OF A STRUCTURE, THE COST OF WHICH EQUALS OR EXCEEDS 50% OF THE MARKET VALUE OF THE STRUCTURE (LESS LAND VALUE) EITHER: (A) BEFORE THE IMPROVEMENT OR REPAIR IS STARTED: OR (B) IF THE STRUCTURE INCURRED SUBSTANTIAL DAMAGE AND HAS BEEN RESTORED, BEFORE THE DAMAGE OCCURRED. SUBSTANTIAL IMPROVEMENT OCCURS WHEN THE FIRST ALTERATION OF ANY WALL, CEILING, FLOOR, OR OTHER STRUCTURAL PART OF THE BUILDING COMMENCES. THE MINIMUM REPAIRS NEEDED TO CORRECT PREVIOUSLY IDENTIFIED VIOLATIONS OF LOCAL HEALTH, SAFETY, OR SANITARY CODES, AND ALTERATIONS TO HISTORIC STRUCTURES WHICH DO NOT PRECLUDE THEIR CONTINUED DESIGNATION AS HISTORIC STRUCTURES ARE NOT CONSIDERED SUBSTANTIAL IMPROVEMENTS. THESE BUILDINGS OR ADDITIONS SHALL BE DESIGNED AND ADEQUATELY ANCHORED TO PREVENT FLOTATION, COLLAPSE, OR LATERAL MOVEMENT OF THE STRUCTURE WITH MATERIALS RESISTANT TO FLOOD DAMAGE.

REPETITIVE LOSS - FLOOD RELATED DAMAGE SUSTAINED BY A STRUCTURE ON TWO SEPARATE OCCASIONS DURING A 10-YEAR PERIOD FOR WHICH THE COST OF REPAIRS AT THE TIME OF EACH SUCH FLOOD EVENT, ON THE AVERAGE, EQUALS OR EXCEEDS 25% OF THE MARKET VALUE OF THE STRUCTURE BEFORE THE DAMAGE OCCURRED

DEFINITIONS OF OTHER TERMS SHALL BE AS SET FORTH IN THE FLOODPLAIN MANAGEMENT LAW AND REGULATIONS OF THE BALTIMORE COUNTY CODE

2 THE APPLICATION FOR A BUILDING PERMIT SHALL CONTAIN ALL INFORMATION, MAPS, AND PLANS DEEMED APPROPRIATE BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, INCLUDING THE DELINEATION OF THE 100-YEAR FLOOD ELEVATION AND BOUNDARY AND THE PROPOSED ELEVATION OF THE LOWEST FLOOR AND METHOD OF ELEVATION, IF APPLICABLE.

ALL APPLICANTS SHALL AGREE IN WRITING TO PROVIDE AN ELEVATION CERTIFICATE COMPLETED BY A REGISTERED PROFESSIONAL ENGINEER OR SURVEYOR TO CERTIFY THE AS-BUILT LOWEST FLOOR OF A STRUCTURE WHICH MUST BE ELEVATED TO OR ABOVE THE FLOOD PROTECTION ELEVATION

AN ELEVATION CERTIFICATE MUST BE SUBMITTED BEFORE A CERTIFICATE OF OCCUPANCY OR USE MAY BE ISSUED. WORK UNDERTAKEN PRIOR TO SUBMISSION OF THE CERTIFICATION IS AT THE APPLICANT'S RISK.

FOR ENCLOSED AREAS BELOW THE FLOOD PROTECTION ELEVATION, A NON-CONVERSION AGREEMENT OR DECLARATION OF LAND RESTRICTION MAY BE REQUIRED, AS DEFINED IN 510.1.2 BELOW. IF AN IMPROVEMENT TO AN EXISTING STRUCTURE IS PROPOSED, ADEQUATE INFORMATION ON THE COST OF THE IMPROVEMENT AND THE MARKET VALUE OF THE STRUCTURE BEFORE THE IMPROVEMENT MUST BE SUPPLIED TO THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT TO ALLOW A DETERMINATION OF SUBSTANTIAL IMPROVEMENT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT MAY USE TAX ASSESSMENT RECORDS TO DETERMINE SUBSTANTIAL IMPROVEMENT.

3112.1 AREAS SUBJECT TO TIDAL FLOODING

- 1. WHENEVER NEW BUILDINGS, MANUFACTURED HOMES, SUBSTANTIAL IMPROVEMENTS TO EXISTING BUILDINGS, INCLUDING ADDITIONS, ARE CONSTRUCTED, OR REPETITIVE LOSSES REPAIRED IN AREAS SUBJECT TO TIDAL FLOODING AS ESTABLISHED BY THE FIS AND FIRM OF BALTIMORE COUNTY OR MORE RESTRICTIVE CRITERIA AS ESTABLISHED BY THE COUNTY, THE BUILDING'S LOWEST FLOOR SHALL BE NOT LOWER THAN THE FLOOD PROTECTION ELEVATION.
- 2. BASEMENTS (FLOORS BELOW GRADE ON ALL FOUR SIDES) ARE NOT PERMITTED FOR NEW BUILDINGS, FOR SUBSTANTIAL IMPROVEMENTS TO NEW BUILDINGS, OR FOR ADDITIONS. NEW BASEMENTS ARE NOT PERMITTED BELOW EXISTING BUILDINGS. AN AREA BENEATH A BUILDING WILL NOT BE CONSIDERED A BASEMENT OR THE LOWEST FLOOR IF IT MEETS THE FOLLOWING CRITERIA:
 - A. THE AREA CONTAINS NO MACHINERY OR EQUIPMENT. FULLY ENCLOSED AREAS BELOW THE FLOOD PROTECTION ELEVATION SHALL BE USED SOLELY FOR PARKING VEHICLES, ACCESS TO THE BUILDING, OR STORAGE. IF SUCH AREAS ARE ENCLOSED, AND A DECLARATION OF LAND RESTRICTION IS RECORDED.
 - THE AREA IS CONSTRUCTED WITH OPENINGS (EXCLUDING DOORS) TO ALLOW THE AUTOMATIC PASSAGE OF FLOOD WATERS AND EQUALIZATION OF WATER PRESSURES.


 (I) A MINIMUM OF TWO OPENINGS ON SEPARATE SIDES OF THE STRUCTURE A HAVING A TOTAL NET AREA OF NOT LESS THAN ONE SQUARE INCH FOR EVERY SQUARE FOOT OF
 - ENCLOSED AREA SUBJECT TO FLOODING SHALL BE PROVIDED.

 (2) THE BOTTOM OF ALL OPENINGS SHALL BE NO HIGHER THAN ONE FOOT ABOVE GRADE

 (3) OPENINGS MAY BE EQUIPPED WITH SCREENS, LOUVERS, VALVES, OR OTHER DEVICES, PROVIDED THAT THEY PERMIT AUTOMATIC ENTRY AND EXIT OF ILOODWATER.
 - (4) OTHER DESIGNS FOR MEETING THESE CRITERIA MUST BE CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER
 - THE AREA IS CONSTRUCTED OF LEODD-RESISTANT MATERIALS BELOW THE EPT, AND A DECLARATION OF LAND RENTRICTION IS RECORDED.
 - D. THE FLORE LEVEL IS A LOR APRICE EXISTING GRADE ON A LEE ASLOWE SIGN
- - A THE PEOPLE OF THE STREETINE MEST HE AT ON ABOUT GRAIN.
 - THE THE MERCHANTAGE ARE SEED FOR A THE SEED OF THE METERS. A SEED SHARE CHARACTERS OF THE ACTUAL SEED SHARESTERS FOR A SECOND ASSOCIATION OF THE SECOND SECOND SHARESTERS.
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ELECTRIC DEVICES, OR APPLIANCES LOCATED BELOW THE FLOOD PROTECTION ELEVATION, SHALL BE SUBJECT TO THE FOLLOWING CONTINGENCIES OR RESTRICTIONS:

- A. STRUCTURES OR GARAGES WHICH ARE 300 SQUARE FEET OR LESS IN AREA SHALL BE PERMITTED WITH A NON-CONVERSION AGREEMENT,
- B. STRUCTURES OR GARAGES WHICH ARE GREATER THAN 300 SQUARE FEET BUT LESS THAN OR EQUAL TO 900 SQUARE FEET IN AREA SHALL BE PERMITTED WITH A RECORDED DECLARATION OF LAND RESTRICTION, AND
- C. STRUCTURES OR GARAGES WHICH EXCEED 900 SQUARE FEET IN AREA SHALL NOT BE PERMITTED.
- 5. MANUFACTURED HOMES, OR MANUFACTURED BUILDINGS, OR ADDITIONS THERETO: ON SITES (i) OUTSIDE OF A MANUFACTURED HOME PARK OR SUBDIVISION; OR (ii) IN AN EXISTING MANUFACTURED HOME PARK; WITHIN A FLOOD ZONE SHALL BE ELEVATED TO ESTABLISH A LOWEST FLOOR ABOVE THE FLOOD PROTECTION ELEVATION.
 - A. WHERE A MANUFACTURED HOME, OR MANUFACTURED BUILDING, OR ADDITION THERETO IS TO BE ELEVATED TO ESTABLISH A LOWEST FLOOR ABOVE THE FLOOD PROTECTION ELEVATION, IT MUST BE ELEVATED ON A PERMANENT FOUNDATION AND MUST BE SECURELY ANCHORED TO AN ADEQUATELY ANCHORED FOUNDATION SYSTEM TO RESIST FLOTATION COLLAPSE AND LATERAL MOVEMENT. METHODS OF ANCHORING MAY INCLUDE BUT ARE NOT LIMITED TO, USE OF OVER-THE-TOP OR FRAME TIES TO GROUND ANCHORS.
 - B. IN THE FLOODPLAIN AREA, THE MINIMUM WIND FORCE APPLICABLE TO THE DESIGN OF ANCHORAGE AND TIE-DOWN FACILITIES FOR MANUFACTURED HOMES, OR MANUFACTURED BUILDINGS OR ADDITIONS THERETO SHALL BE NINETY (90) MILES PER HOUR.
 - C. FOR EACH SITE WITHIN A FLOOD ZONE ON WHICH AN EXISTING MANUFACTURED HOME, OR MANUFACTURED BUILDING, OR ADDITION THERETO, INCURS "SUBSTANTIAL DAMAGE" AS A RESULT OF A FLOOD, THE UNIT MUST, UPON REPLACEMENT OR REPAIR, BE ELEVATED ON A PERMANENT FOUNDATION SO THAT THE LOWEST FLOOR OF EACH MANUFACTURED UNIT OR ADDITION WILL BE AT OR ABOVE THE FLOOD PROTECTION ELEVATION IN FULL COMPLIANCE WITH SUBSECTIONS A. AND B. ABOVE.
 - D. A RECREATIONAL VEHICLE WHICH REMAINS ON A SITE FOR MORE THAN 180 CONSECUTIVE DAYS SHALL BE CONSIDERED A MANUFACTURED HOME OR MANUFACTURED BUILDING AND SHALL COMPLY WITH ALL REGULATIONS.
- 6 NEW OR REPLACEMENT UTILITY SYSTEMS, INCLUDING BUT NOT LIMITED TO WATER SUPPLY, SANITARY SEWAGE, ELECTRIC, GAS, AND OIL, MUST BE DESIGNED TO MINIMIZE OR ELIMINATE INFILTRATION OF FLOOD WATERS INTO THE SYSTEMS AND DISCHARGES FROM THE SYSTEMS INTO FLOOD WATERS, AND ONSITE WASTE DISPOSAL SYSTEMS MUST BE LOCATED SO AS TO AVOID IMPAIRMENT OF THEM OR CONTAMINATION FROM THEM DURING FLOODING.
 - A. SEPTIC TANKS MUST BE ADEQUATELY ANCHORED TO PREVENT FLOTATION.
 - B. ALL ELECTRIC WATER HEATERS, ELECTRIC FURNACES, GENERATORS, HEAT PUMPS, AIR CONDITIONERS, AND OTHER PERMANENT ELECTRICAL INSTALLATIONS, VENTILATION AND OTHER SERVICE FACILITIES SHALL BE PERMITTED ONLY AT OR ABOVE THE FLOOD PROTECTION ELEVATION
 - C NO ELECTRICAL DISTRIBUTION PANELS SHALL BE PERMITTED AT AN ELEVATION LESS THAN (2) TWO FEET ABOVE THE FLOOD PROTECTION ELEVATION.
 - D ALL FURNACES, WATER HEATERS, AND OTHER PERMANENT MECHANICAL INSTALLATIONS SHALL BE PERMITTED ONLY AT OR ABOVE THE FLOOD PROTECTION ELEVATION.
- 7 FOR ALL NEW OR SUBSTANTIALLY IMPROVED STRUCTURES IN THE FLOODPLAIN AREA, THE OWNER MUST HAVE A PROFESSIONAL LAND SURVEYOR, PROPERTY LINE SURVEYOR, OR PROFESSIONAL ENGINEER SUBMIT A FULLY EXECUTED ELEVATION CERTIFICATE TO THE COUNTY AT THE TIME OF FRAMING INSPECTION
- 8 NEW OR SUBSTANTIALLY IMPROVED NON-RESIDENTIAL STRUCTURES MAY BE FLOODPROOFED TO THE FLOOD PROTECTION ELEVATION. UNDER THIS OPTION, THE OWNER MUST HAVE A PROFESSIONAL ENGINEER OR ARCHITECT SUBMIT A FULLY EXECUTED FLOODPROOF CERTIFICATE TO THE COUNTY PRIOR TO THE APPROVAL OF THE CONSTRUCTION BY ANY BUILDING OFFICIAL OF BALTIMORE COUNTY
- 9. ALL ELEVATIONS REQUIRED BY SUBSECTION 7. SHALL BE REFERENCED TO BALTIMORE COUNTY DATUM "BCD" NOT NATIONAL GEODETIC VERTICAL DATUM "NGVD" AS SHOWN ON THE CERTIFICATE.
- 10. ALL NEW AND EXISTING OIL, GAS AND PROPANE TANKS MUST BE ANCHORED AGAINST FLOATATION BY MEANS OF AN APPROVED ENGINEERED ANCHORAGE SYSTEM. IT SHALL BE UNLAWFUL TO FILL OR REFILL ANY SUCH TANK THAT IS NOT SO ANCHORED
- 3112.2 AREAS SUBJECT TO INUNDATION BY RIVERINE SURFACE WATERS WITHIN THE 100-YEAR FLOODPLAIN.
- 1 NO NEW BUILDINGS OR ADDITIONS SHALL BE CONSTRUCTED IN ANY RIVERINE FLOODPLAIN THE 100-YEAR FLOODPLAIN SHALL BE BASED UPON THE FEDERAL FLOOD INSURANCE STUDY OR AS ESTABLISHED BY THE DIRECTOR OF PUBLIC WORKS, WHICHEVER IS THE MORE RESTRICTIVE. THIS DETERMINATION SHALL INCLUDE PLANNED FUTURE DEVELOPMENT OF THE WATERSHED AREA.
- 2. RECONSTRUCTION OR REPAIR OF EXISTING BUILDINGS SHALL BE GOVERNED BY SECTION 1150 "UNSAFE STRUCTURES AND EQUIPMENT" ALL SUBSTANTIAL IMPROVEMENTS TO EXISTING BUILDINGS SHALL BE PERMITTED ONLY ON THE BASIS OF AN APPROVED WAIVER IN ACCORDANCE WITH SECTION 26-670 "WAIVERS", AND SHALL BE SUBJECT TO ALL APPLICABLE CONDITIONS OF SECTION 26-668 "DEVELOPMENT IN THE 100-YEAR TIDAL FLOODPLAIN" AND SECTION 3112.1 OF THIS BUILDING CODE "AREAS SUBJECT TO TIDAL FLOODING".
- WHERE REPLACEMENT STRUCTURES CANNOT BE RELOCATED OUT OF THE FLOODPLAIN, THEY SHALL BE LIMITED TO THE FOOTPRINT OF THE PREVIOUS STRUCTURE.
- ALL SUBSTANTIALLY IMPROVED STRUCTURES, INCLUDING MANUFACTURED HOMES, SHALL HAVE THE LOWEST FLOOR ELEVATED TO OR ABOVE THE FLOOD PROTECTION ELEVATION
- 3 THE LOWEST FLOOR ELEVATION FOR HOUSES OR BUILDINGS ADJACENT TO A RIVERINE FLOODPLAIN SHALL BE TWO FEET ABOVE THE BASE FLOOD ELEVATION.



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