IN RE:	**PETITION FOR SPECIAL HEARING**	*	BEFORE THE
	S/S East Joppa Road at Peach		
	Blossom Boulevard	*	ZONING COMMISSIONER
	(Moore's Meadows)		
		*	OF
	11th Election District		
	5th Council District	*	BALTIMORE COUNTY
	U.S. Home Corporation	*	**Case No. 07-385-SPH**
	d/b/a LENNAR		
	Petitioner	*	

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by U.S. Home Corporation d/b/a LENNAR, the entity that developed the subject property with 59 single-family detached dwellings, located on the south side of East Joppa Road, east of Cowenton Avenue in Perry Hall[1]. The Petitioner, through its attorney, Stuart D. Kaplow, Esquire, requests a special hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to waive the building and site design standards for the existing dwellings, to permit two-car garages facing the street to have a single garage door in lieu of the required two individual doors separated by a divider to permit a single garage door, as required in the H and HI Overlay Districts by B.C.Z.R. Section 259.9C.3.a; and to approve the amendment of an approved final development plan (FDP), pursuant to B.C.Z.R. Section 1B01.3.A.7, for the 1st Amended Final Development Plan for Moore's Meadows, approved June 23, 2004, such that the

[1] For the history of this project through the County's review process, the Moore's Meadows property was the subject of prior approvals including Case Nos. XI-728 and 02-376-A, in which development plan approval and variance relief for the proposed development with 59 single-family detached homes was approved on April 29, 2002 by Deputy Zoning Commissioner Timothy M. Kotroco. That approval was modified by the Order On Motion For Reconsideration approved on September 11, 2002 by Mr. Kotroco; by September 15, 2003 letter of Mr. Kotroco evidencing the approval of the refinement of the development plan as reviewed by the Development Review Committee; and, by an Order in the Petition For Special Hearing and Petition for Variance Case No. 04-122-SPHA on December 11, 2003 by Zoning Commissioner Lawrence E. Schmidt.

FDP will be consistent with the site plan that is the subject of this petition. The subject property and requested relief are more particularly described on the two-page plan (that includes elevation drawings) entitled "Plat To Accompany Petition For Special Hearing" submitted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Bill Collins, Director of Construction, on behalf of LENNAR; Stuart D. Kaplow, Esquire, and Brian Childress, with D.S. Thaler & Associates, Inc., the consultants who prepared the site plan(s) for this property. Also appearing on behalf of the Petitioner was Walter T. Smith, Jr., Development Manager, Department of Permits and Development Management (DPDM), who testified on behalf of DPDM and presented a letter from Timothy M. Kotroco, Director, DPDM, recommending the granting of the waiver in accordance with Section 32-4-107 of the Baltimore County Code (B.C.C.). *See* Petitioner's Exhibit 2. No individuals appeared "expressly" opposing the relief requested; however, the legitimacy of waiving certain design standards of the architectural guidelines found within the Honeygo Overlay District, without somehow sanctioning the Petitioner, was questioned by Debra Beaty. Ms. Beaty serves as the Vice President and Chairperson of the Planning and Zoning Committee of the Perry Hall Improvement Association. Additionally, Timothy R. Hearn, a resident of Moore's Meadows, is a principle in KLNB Management with 25 years of experience in land use and commercial real estate services, and served as a member of a group who worked on drafting the Honeygo design standards in 1996-97. He appeared and expressed concerns, among others, about the physical conditions of the not yet completed area of the subdivision.

The property consists of 28.0 acres, more or less, zoned D.R.-3.5H, and each of the already constructed 40 houses within the subdivision of 59 houses has prior to the date of the petition been conveyed to third parties.

At issue in the instant case is an error through inadvertence, on the part of the Petitioner's

"team" of engineers, architects, salesmen, and builders, in failing to adhere to B.C.Z.R. Section 259.9.C.3.a which states, "A two-car garage facing the street *shall have two individual doors separated by a divider*". Although the approved FDP appears to show a front elevation for a typical single-family dwelling facing the street, with bifurcated garage doors, 40 of the 59 homes were built pursuant to properly issued building permits, inspected and then sold to third party purchasers containing single garage doors[2]. Testimony and evidence received clearly indicate that the garage structures that are the focus of this hearing cannot now reasonably be retrofitted with two individual doors separated by a divider as they lack the requisite 15 to 20 inches of additional width space to do so. The Petitioner, a reputable publicly traded NY Stock Exchange company founded in 1954 that is today ranked #161 in the Fortune 500 rankings, employed best efforts in attempting to meet the design criteria once the problem was brought to LENNAR's attention by Kevin Gambrill, a community planner in the Office of Planning. In view of this the Office of Planning, in its Zoning Advisory Committee (ZAC) comment, does not oppose the waiver of standards for the dwellings already constructed and does not oppose the requested amendment to the FDP.

The testimony of Walt Smith, who has been involved with the development approvals for Moore's Meadows from the beginning, can be summarized as follows: Upon learning of the problem that involved the construction of existing houses, he met with the architects and engineers who considered the installation of replacement garage doors but determined that they couldn't accomplish that due to insufficient width. Smith, determining that the design standards could not be complied with, and after consultation with the staffs of the Office of Planning and DPDM informed LENNAR that a request to waive the offended standards and amend the FDP was a preferred

[2] As depicted on Exhibit 1, 40 of the 59 houses are the subject of this waiver request, those being known as Scenic Drive: #5200, #5201, #5202, #5203, #5204, #5205, #5206, #5208, #5214, #5216, #5217, #5219, #5220, #5221, #5223, #5225, #5226, (17 houses) and Panorama Drive: #9101, #9104, #9105, #9106, #9107, #9108, #9110, #9111, #9112, #9113, #9114, #9117, #9119, #9121, #9122, #9123, #9124, #9126, #9128, #9129, #9130, #9131, #9135 (23 houses).

resolution and requested that LENNAR file the within petition, rather than expose the individual homeowners as the party responsible to comply with the Honeygo Design Standards and guidelines set forth in the B.C.Z.R. He testified about the "permitting process" and the steps his department has taken internally to assure the problem would not happen again. Since the County's building inspectors were unaware of the Honeygo design standards (they are in the B.C.Z.R. and not the Building Code), he has had meetings with the inspectors and made them aware of these building and site design standards. Secondly, preconstruction meetings are now held by DPDM with the builder and developer as often times, as is the situation here, they are not the ones who attend the Hearing Officer's Hearing. During these meetings, a review of the Pattern Book, Orders and FDP are undertaken and it is explained to the builder what is expected of them. Lastly, the Office of Planning now reviews building applications and pulls the Pattern Books before signing off on building permits[3]. These changes in the County's regulatory framework should go a long way in assuring against this type of *SNAFU* from occurring again.

Petitioner's second witness was Brian Childress, who testified as an expert witness, as a senior project engineer, that in his more than 25 years at D.S. Thaler and Associates, Inc., he had not encountered a similar confluence of error and inability to comply with County regulatory requirements. He testified that in his many years of involvement with this project he had personally been in meetings with LENNAR's architects and other representatives where the nature of the Honeygo design standards and guidelines were discussed. Mr. Childress did make the point that the Petitioner is not seeking any variances from the B.C.Z.R. nor to modify, change or reconfigure any of

[3] The Pattern Book process of depicting a particular home on a specific lot was not being utilized in 2002. While the regulations did provide for a Pattern Book there was no mechanism, at that time, to alter and amend a particular pattern book approved at the time of development plan approval to reflect a house type being later constructed. Instead, a scale drawing of the building elevation drawing was reduced and placed on the FDP, in this case on Page 2. Often times, these elevation drawings are difficult to distinguish specific details such as a "divider" between garage doors.

the previous development plan approvals, and he made clear that the Petitioner in no way benefited from nor was otherwise advantaged by the error (i.e., there were no additional lots approved, nor the like). Further he testified in his expert opinion that the relief requested could be granted without detrimental impact to the general welfare of the surrounding locale. Moreover, he described how it was his opinion that the requested amendment to the FDP was consistent with the spirit and intent of the original plan and of the relevant sections of the B.C.Z.R.

Petitioner's third witness was Bill Collins, the Director of Construction of LENNAR, who testified that the first time he had any knowledge of the error in complying with the B.C.Z.R. with respect to this project was when it was brought to his attention, after the fact, by Baltimore County government officials. He testified that he accepted full responsibility as the Director of Construction in the Baltimore area for LENNAR and on behalf of the company, while he did make clear that any such error was inadvertent and, by way of explanation and not excuse, apparently occasioned by the Petitioner's team of engineers, architects, salesmen, and builders.

Subsequent to the public hearing, the Petitioner through its counsel, made a proffer that without any admission of liability, beyond the testimony of Bill Collins about the Petitioner's culpability for the inadvertent error, that it will make a contribution of Five Thousand Dollars ($5,000) to the Moore's Meadows Homeowners Association such that the HOA can, in its discretion, use the funds to improve the physical environment, including enhancing landscaping, in the subdivision to address, in part, those matters described in the earnest testimony of the resident who appeared at the public hearing. The Petitioner wishes to make clear that there has been no deal nor even any discussion with the HOA or with the resident who raised the matters, but rather this contribution is offered, at the time of turnover of the HOA to the residents, in the spirit of maintaining good will in this community in the face of this admitted error by a large corporation.

Based on the testimony and evidence presented, I am persuaded that the relief requested

should be granted. Everyone agreed that the error in construction that is the crux of the issue in the instant case is an existing condition in 40 houses that are now owned by individual homeowners. As such, the facts are unique to this petition and any order in this case would not have precedent on any other petition or proceeding. I am further persuaded by the comments submitted by DPDM and the Office of Planning, each comment recognizing the importance of the relief requested not only for the Petitioner but also for each of the 40 homeowners. And I additionally find that the relief requested can be granted without detrimental impact to the general welfare of the surrounding locale. Moreover, I find that the requested amendment to the FDP is consistent with the spirit and intent of the original plan and with the relevant sections of the B.C.Z.R.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this 6th day of June 2007, that the special hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to waive the building and site design standards for the existing 40 dwellings, to permit two-car garages facing the street to have a single garage door in lieu of the required two individual doors separated by a divider, as required in the H and HI Overlay Districts by B.C.Z.R. Section 259.9C.3.a, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the approval of an amendment to the approved final development plan, pursuant to B.C.Z.R. Section 1B01.3.A.7, for the 1st Amended Final Development Plan for Moore's Meadows, approved June 23, 2004, such that the FDP will be consistent with the site plan that is the subject of this petition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following:

1) Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the thirty (30) day appellate process from the date of this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be

ORDER RECEIVED FOR FILING
Date 6-6-07
By [signature]

required to return, and be responsible for returning, said property to its conditions originally contemplated in the approved final development plan.

2) The decision in this case is unique to the existing conditions in the Moore's Meadows subdivision and is not a legal precedent that may be cited as such in any other zoning/development case involving the architectural design and building standards in the Honeygo Overlay District.

Any appeal of this decision must be made within thirty (30) days of the date hereof.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING
Date 6-6-07
By DLW

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

June 6, 2007

Stuart D. Kaplow, Esquire
Stuart D. Kaplow, P.A.
15 East Chesapeake Avenue
Towson, Maryland 21286

RE: **PETITION FOR SPECIAL HEARING**
S/S East Joppa Road at Peach Blossom Boulevard
(Moore's Meadows)
11th Election District – 5th Council District
U.S. Home Corporation d/b/a LENNAR - Petitioner
Case No. 07-385-SPH

Dear Mr. Kaplow:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing and approval to amend the Final Development Plan has been granted with conditions, 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:dlw

c: Bill Collins, Director of Construction, U.S. Home Corporation d/b/a LENNAR,
19 Newport Drive, Suite 101, Forest Hill, Md. 21050
Brian Childress, 7115 Ambassador Road, Baltimore, Md. 21224
Debra Beaty, Perry Hall Improvement Association, P.O. Box 63, Perry Hall, Md. 21128
Tim Hearn, P.O. Box 44670, Baltimore, Md. 21236
People's Counsel; Walter Smith, DPDM; OP; Case File

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at East Joppa Road at Peach Blossom
which is presently zoned D.R. 3.5 H

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

See Attachment 1

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

Attorney For Petitioner:

Stuart D. Kaplow
Name - Type or Print

Signature

Stuart D. Kaplow, P.A.
Company

15 East Chesapeake Ave. 410-339-3910
Address Telephone No.

Towson Maryland 21286
City State Zip Code

Legal Owner(s):

U S Home Corporation d/b/a LENNAR
Name - Type or Print

By Bill Collins
Signature

Bill Collins, Director of Construction
Name - Type or Print

Signature

19 Newport Dr., Ste 101 717-227-1060
Address Telephone No

Forest Hill Maryland 21050
City State Zip Code

Representative to be Contacted:

Stuart D. Kaplow
Name

15 East Chesapeake Ave., 410-339-3910
Address Telephone No.

Towson Maryland 21286
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 07-385 SPH

Reviewed By _____ Date 3.1.07

REV 9/15/98

ORDER RECEIVED FOR FILING
Date 6-6-07
By DW

ATTACHMENT 1

PETITION FOR SPECIAL HEARING

1. To waive the building and site design standards for the existing dwellings, to permit two-car garages facing the street to have a single garage door in lieu of the required two individual doors separated by a divider to permit a single garage door, as required in the H and H1 Overlay Districts by BCZR Section 259.9C.3.a.

2. To approve the amendment of an approved final development plan, pursuant to BCZR Section 1B01.3.A.7, for the 1st Amended Final Development Plan for Moore's Meadows, approved June 23, 2004, such that the FDP will be consistent with the site plan that is the subject of this petition.

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: #07-385-SPH
East Joppa Road at Peach Blossom
(Moore's Meadows)
11th Election District - 5th Councilmanic District
Legal Owner(s): U.S. Home Corporation d/b/a LENNAR

Special Hearing: to waive the building and site design standards for the existing dwellings, to permit two-car garages facing the street to have a single garage door, as required in the H and H1 Overlay Districts by BCZR Section 259.9C.3.a and to approve the amendment of an approved final development plan, pursuant to BCZR Section 1B01.3.A.7 for the 1st Amended Final Development Plan for Moore's Meadows, approved June 23, 2004, such that the FDP will be consistent with the site plan that is the subject of this petition.

Hearing: Tuesday, May 1, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 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.

4/131 April 12 131643

CERTIFICATE OF PUBLICATION

4/12/, 2007

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 4/12/, 2007.

☒ The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
☐ Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

S. Wilkinson

LEGAL ADVERTISING

January 23, 2007

ZONING DESCRIPTION

MOORE'S MEADOW SUBDIVISION

Beginning for the same in the center of Joppa Road at its intersection with the northerly side of Peach Blossom Boulevard, said Point having MCS coordinate values of North 631323 and East 1472088, thence running the following courses and distances:

1. South 41°32'46' West 255.86 feet, more or less, to a point; thence,
2. South 53°58'15" East 298.70 feet, more or less, to a point; thence,
3. South 71°54'00" West 294.68 feet, more or less, to a point; thence,
4. North 01°23'07" West 390.59 feet, more or less, to a point; thence,
5. North 71°57'19" East 651.96 feet, more or less, to a point; thence,
6. South 04°23'32" East 7.00 feet, more or less, to a point; thence,
7. North 73°07'09" East 149.94 feet, more or less, to a point; thence,
8. North 73°01'09" East 50.19 feet, more or less, to a point; thence,
9. North 78°21'49" East 100.80 feet, more or less, to a point; thence,
10. North 24°20'25" East 44.90 feet, more or less, to a point; thence,
11. North 09°45'05" East 804.21 feet, more or less, to a point; thence,
12. South 38°44'54" East 10.00 feet, more or less, to a point; thence,
13. North 37°44'05" East 85.04 feet, more or less, to a point; thence,
14. South 52°15'55" East 100.00 feet, more or less, to a point; thence,

15. North 37°44'05" East 238.28 feet, more or less, to a point; thence,

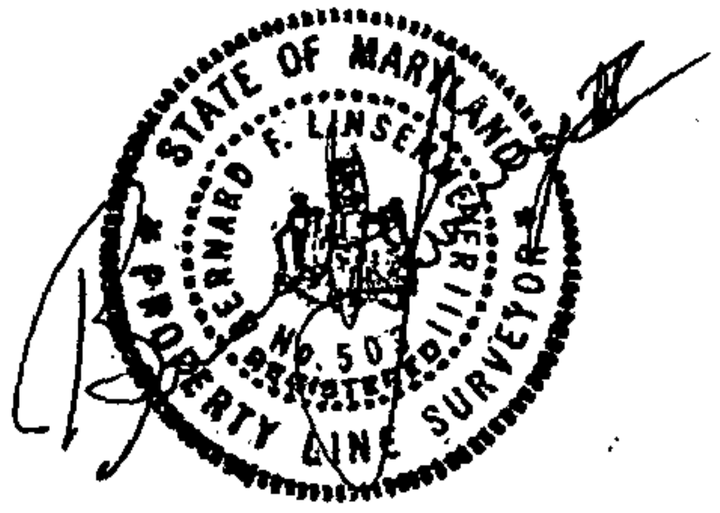
16. South 24°54'55" East 46.16 feet, more or less, to a point; thence,

17. South 34°28'34" East 395.34 feet, more or less, to a point; thence,

18. South 48°27'14" East 450.00 feet to the point of beginning.

Containing 28.005 acres of land, more or less.

Being in the Eleventh Election District, and the Fifth Councilmanic District of Baltimore County, Maryland.



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

375

No. 24918

DATE 3.1.07 ACCOUNT R001-006-6150

AMOUNT $ 375.00

RECEIVED FROM: LENNAR ——— MOORE'S MEADOWS

FOR: SPH
AMEND TOF

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS **DATE:** 04/16/07

Case Number: 07-385-SPH

Petitioner/Developer: STUART KAPLOW, ESQ—BILL COLLINS, US HOME CORP.

Date of Hearing (Closing): May 1, 2007

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: EAST JOPPA RD. @ PEACH BLOSSOM BLVD.

COWENTON AVE. @ HORNAGO AVE. (ON-SITE)

The sign(s) were posted on: April 14, 2007

SEE PHOTOS

Linda O'Keefe

(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

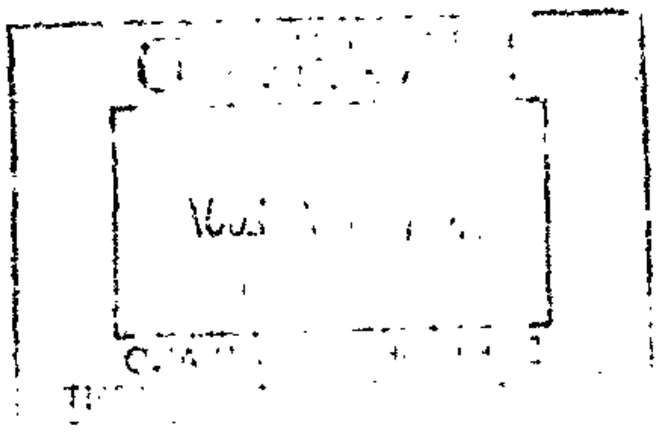
(Street Address of Sign Poster)

Hunt Valley Maryland 21030

(City, State, Zip Code of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)



Moores Meadows

ZONING NOTICE

CASE # 07-385-SPH

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

PLACE: ROOM 407, COUNTY COURTS BLDG. 401 BOSLEY AVE. TOWSON 21204

DATE AND TIME: TUESDAY, MAY 1, 2007 AT 9:00 A.M.

REQUEST: SPECIAL HEARING TO WAIVE THE BUILDING AND SITE DESIGN STANDARDS FOR THE EXISTING DWELLINGS TO PERMIT TWO-CAR GARAGES FACING THE STREET TO HAVE A SINGLE GARAGE DOOR, AS REQUIRED IN THE H AND H1 OVERLAY DISTRICTS BY BCZR SECTION 259.9C.3a AND TO APPROVE THE AMENDMENT OF AN APPROVED FINAL DEVELOPMENT PLAN,

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 07-385-SPH

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PLACE: ROOM 407, COUNTY COURTS BLDG. 401 BOSLEY AVE. TOWSON 21204

DATE AND TIME: TUESDAY, MAY 1, 2007 AT 9:00 A.M.

REQUEST: PURSUANT TO BCZR SECTION 1B01.3.A.7 FOR THE FIRST AMENDED FINAL DEVELOPMENT PLAN FOR MOORE'S MEADOWS, APPROVED JUNE 23, 2004, SUCH THAT THE FDP WILL BE CONSISTENT WITH THE SITE PLAN THAT IS THE SUBJECT OF THIS PETITION.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391

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HANDICAPPED ACCESSIBLE

East Joppa Rd. @ Peach Blossom Blvd.

ZONING NOTICE

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DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

Cowenton Avenue @ Hornago Avenue

RE:	PETITION FOR SPECIAL HEARING East Joppa Road at Peach Blossom 11th Election & 5th Councilmanic Districts Legal Owner(s): US Home Corporation d/b/a LENNAR; Bill Collins Petitioner(s)	*	BEFORE THE
		*	ZONING COMMISSIONER
		*	FOR
		*	BALTIMORE COUNTY
		*	07-385-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 and all documentation filed in the case.

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

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of March, 2007, a copy of the foregoing Entry of Appearance was mailed to, Stuart Kaplow, Esquire, 15 East Chesapeake Avenue, Towson, MD 21286, Attorney for Petitioner(s).

RECEIVED
MAR 09 2007
Per

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

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

March 16, 2007

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management

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: 07-385-SPH
East Joppa Road at Peach Blossom
(Moore's Meadows)
11th Election District – 5th Councilmanic District
Legal Owners: U.S. Home Corporation d/b/a LENNAR

Special Hearing to waive the building and site design standards for the existing dwellings, to permit two-car garages facing the street to have a single garage door, as required in the H and H1 Overlay Districts by BCZR Section 259.9C.3.a and to approve the amendment of an approved final development plan, pursuant to BCZR Section 1B01.3.A.7 for the 1st Amended Final Development Plan for Moore's Meadows, approved June 23, 2004, such that the FDP will be consistent with the site plan that is the subject of this petition.

Hearing: Tuesday, May 1, 2007 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Stuart Kaplow, 15 East Chesapeake Avenue, Towson 21286
Bill Collins, US Home Corp., 19 Newport Drive, Ste. 101, Forest Hill 21050

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 16, 2007.**
(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
Thursday, April 12, 2007 Issue - Jeffersonian

Please forward billing to:
Stuart Kaplow
15 East Chesapeake Avenue
Towson, MD 21286

410-339-3910

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: 07-385-SPH
East Joppa Road at Peach Blossom
(Moore's Meadows)
11th Election District – 5th Councilmanic District
Legal Owners: U.S. Home Corporation d/b/a LENNAR

Special Hearing to waive the building and site design standards for the existing dwellings, to permit two-car garages facing the street to have a single garage door, as required in the H and H1 Overlay Districts by BCZR Section 259.9C.3.a and to approve the amendment of an approved final development plan, pursuant to BCZR Section 1B01.3.A.7 for the 1st Amended Final Development Plan for Moore's Meadows, approved June 23, 2004, such that the FDP will be consistent with the site plan that is the subject of this petition.

Hearing: Tuesday, May 1, 2007 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 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 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The 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: 385

Petitioner: US Home Corp.

Address or Location: E. Joppa Rd @ Peach Blossom

PLEASE FORWARD ADVERTISING BILL TO:

Name: Stuart Kaplow, Esq.

Address: 15 E. Chesapeake Ave.
Towson, Md. 21286

Telephone Number: 410-337-3910

Revised 7/11/05 - SCJ

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management

April 26, 2007

Stuart D. Kaplow, P.A.
15 East Chesapeake Avenue
Towson, MD 21204

Dear Mr. Kaplow:

RE: Case Number: 07-385-SPH, East Joppa Road at Peach Blossom

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 1, 2007.

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:amf

Enclosures

c: People's Counsel
US Home Corporation d/b/a LENNAR Bill Collins, Director of Construction 19 Newport Drive, Suite 101 Forest Hill 21050

BW 5-1-07

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 13, 2007

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

RECEIVED
APR 25 2007
BY:.....

SUBJECT: Moores Meadows PDM # XI-728

INFORMATION:

Item Number: 7-385

Petitioner: U.S. Homes Corporation d/b/a Lennar Homes

Zoning: DR 3.5H

Requested Action: **Special Hearing**

SUMMARY OF RECOMMENDATIONS:

The subject property, known more specifically as "Moores Meadows" subdivision, is located within the Honeygo Overlay District of Baltimore County. This project is subject to certain architectural guidelines found within the Honeygo Overlay District building and site design standards. In this case, the petitioner is seeking zoning relief from section 259.9.C.3.a, which states, "*A two-car garage facing the street shall have two individual doors separated by a divider.*"

It is important to mention that at no time during stage one of the development review process was zoning relief requested for waiving the building and site design standards. Furthermore, the approved Final Development Plan (FDP - 10/24/03) shows a front elevation for a typical single-family detached dwelling with garages facing the street with bifurcated garages. Upon field inspection of the subject property, it was discovered that several single-family dwellings have been, or are currently being constructed with front loaded garages separated by a divider with approved materials.

This Office is aware that a number of dwellings have already been constructed in the development in violation of section 259.9.C.3.a. This fact does not condone continued violation of the Honeygo Overlay District building and site design standards. It is clear that the lots sited within the development can accommodate structures that meet all of the design criteria in this Overlay District, including the separation of front loaded garages into two, individual bays. Considering the existing conditions and circumstances the Office of Planning does not oppose the waiver of the said standard for those dwellings already constructed (subject lot has been

graded and a foundation has been poured). However this office does not support the continued building of dwellings or any future dwellings within the Moores Meadows Subdivision that do not conform to the Honeygo Overlay district standards or those of the Baltimore County Zoning Regulations.

The petitioner is also requesting the approval of an amendment of an approved final development plan. The Office of Planning does not oppose the amendment of the said plan. However, the plan should reflect the concerns stated in the aforementioned comments. Revise the accompanying site plan to show a typical building that reflects those dwellings that are built and a separate typical dwelling that conforms to the Honeygo Overlay District building and design standards.

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

Reviewed by: _____

Division Chief: _____

AFK/LL: CM

W:\DEVREV\ZAC\7-385.doc

To: JCM
See JNP

STUART D. KAPLOW, P.A.

ATTORNEYS AT LAW
15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286-5306
TELEPHONE 410-339-3910
FACSIMILE 410-339-3912
E-MAIL SKAPLOW@STUARTKAPLOW.COM

STUART D. KAPLOW

WWW.STUARTKAPLOW.COM

February 16, 2007

Via Hand Delivery
Timothy M. Kotroco, Director
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: **Drop Off Filing**
Special Hearing – Moore's Meadows

Dear Mr. Kotroco:

This is a Drop Off filing for a special hearing (and an amendment to the FPD) to waiver certain building design standards on existing dwellings in Moore's Meadows. You may recall we met with Walt Smith about this matter some months ago. Specifically, please find attached:

1. Three copies of the petition;
2. Twelve copies of the plat;
3. One copy of the 200' scale zoning map, with the property identified;
4. Three copies of the property description;
5. One copy of the advertising requirement form;
6. The client's check, payable to Baltimore County in the amount of $375.

There are no known zoning violations on this property. AS noted above, Walt Smith is the only one in your office who has previously reviewed this matter.

Please have the notice sent to me and I will cause the property to be appropriately posted. Thank you very much.

Sincerely,

Stuart Kaplow

Stuart D. Kaplow

SDK:tbm
cc: Mr. Bill Collins, US Home Corporation d/b/a LENNAR

recommends that any and all future dwellings within the Moores Meadows Subdivision be constructed in accordance with all sections of the Baltimore County Zoning Regulations.

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

Reviewed by: Pat Keller, Curtis Murray

Division Chief: Lynn Lanham

AFK/LL: CM

W:\DEVREV\ZAC\7-385.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 13, 2007

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

SUBJECT: Moores Meadows PDM # XI-728

INFORMATION:

Item Number: 7-385

Petitioner: U.S. Homes Corporation d/b/a Lennar Homes

Zoning: DR 3.5H

Requested Action: **Special Hearing**

See Revised Rec'd 4/25/07

SUMMARY OF RECOMMENDATIONS:

The subject property, known more specifically as "Moores Meadows" subdivision, is located within the Honeygo Overlay District of Baltimore County. This project is subject to certain architectural guidelines found within the Honeygo Overlay District building and site design standards. In this case, the petitioner is seeking zoning relief from section 259.9.C.3.a, which states, "*A two-car garage facing the street shall have two individual doors separated by a divider.*"

It is important to mention that at no time during stage one of the development review process was zoning relief requested for waiving the building and site design standards. Furthermore, the approved Final Development Plan (FDP - 10/24/03) shows a front elevation for a typical single-family detached dwelling with garages facing the street with bifurcated garages. Upon field inspection of the subject property, it was discovered that several single-family dwellings have been, or are currently being constructed with front loaded garages separated by a divider with approved materials.

This Office is aware that a number of dwellings have already been constructed in the development in violation of section 259.9.C.3.a. However, this does not condone continued violation of the Honeygo Overlay District building and site design standards. It is clear that the lots sited within the development can accommodate structures that meet all of the design criteria in this Overlay District, including the separation of front loaded garages into two, individual bays. Therefore, the Office of Planning does not support the petitioner's request and

recommends that any and all future dwellings within the Moores Meadows Subdivision be constructed in accordance with all sections of the Baltimore County Zoning Regulations.

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

Reviewed by: Pat Keller, Curtis Murray

Division Chief: Lynn Lanham

AFK/LL: CM

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Martin O'Malley, *Governor*
Anthony Brown, *Lt. Governor*

SHA
State Highway Administration
Driven to Excel
Maryland Department of Transportation

John D. Porcari, *Secretary Designate*
Neil J. Pedersen, *Administrator*

Date: March 12, 2007

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

RE: Baltimore County
Item No. 7-385-SPH
US Home Corp.
East Joppa Rd @ Peach Blossom
Special Hearing

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7-385-SPH.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Michael P. Bailey

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

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

March 9, 2007

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

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 5,2007

Item Number: 374 through 388 ~~385~~

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C)443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 6, 2007

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 12, 2007
Item Nos. 07-374, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, and 388

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-03062007.doc

JK
4/4/02

IN RE: DEVELOPMENT PLAN HEARING & PETITION FOR VARIANCE 11th Election District 5th Councilmanic District (Moore's Meadow)	*	BEFORE THE HEARING OFFICER OF BALTIMORE COUNTY
E. Joppa Road, LLC, *Developer*	*	Case Nos. XI-728 & 02-376-A

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

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

This matter comes before this Deputy Zoning Commissioner/Hearing Officer for Baltimore County as a combined public hearing, filed pursuant to Section 26-206.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), for consideration of a Development Plan and a Petition for Variance filed by the E. Joppa Road, LLC, owners of the property and Developers herein. The owners are proposing the development of the subject property into 60 single-family residential lots. The subject property is located on the southwest side of E. Joppa Road, east of Cowenton Avenue. The particulars of the manner in which the property is proposed to be developed are more specifically shown on Developer's Exhibit No. 5, the Red Line Development Plan entered into evidence at the hearing. The subject Development Plan was prepared by D.S. Thaler & Associates, Inc., civil engineers. In addition to the Development Plan approval, zoning relief is sought from the Baltimore County Zoning Regulations as follows:

1. Petitioner hereby petitions for a variance from threshold limits contained in the B.C.Z.R. Section 259.7, pursuant to B.C.Z.R. Section 259.8 and B.C.Z.R. Section 4A02.4.G (incorrectly referred to as "4A02.4.F" in Section 259.8), to permit the issuance of building permits for construction pursuant to the Moore's Meadows Development Plan;

2. Petitioner hereby petitions for a variance from Section 259.7.S of the B.C.Z.R., to allow all dwellings within the Bird River Subarea to connect to the Honeygo Run sewer interceptor;

3. Petitioner hereby petitions for a variance from Section 259.9.B.4.b of the B.C.Z.R., to allow a 25 ft. setback from E. Joppa Road in lieu of the required 40 ft. setback for Lot #57;

4. Petitioner hereby petitions for a variance from Section 259.9.B.4.e of the B.C.Z.R., to allow a 15 ft. setback from the rear property line in lieu of the required 50 ft. setback for Lot #57;

5. Petitioner hereby petitions for a variance from Sections 259.9.G.3 and 504.2 of the B.C.Z.R. and page 26 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies (CMDP) to allow for one cul-de-sac/court in lieu of providing through connection to adjacent properties;

6. Petitioner hereby petitions for a variance from Sections 259.9.G.3 and 504.2 of the B.C.Z.R. and pages 29 and 31 of Part III. Division VI, Section E of the CMDP to allow for mountable curbs in lieu of the requirement for standard vertical curbs;

7. Petitioner hereby petitions for a variance from Sections 259.G.3 and 504.2 and page 31 of Part III, Division VI, Section E of the CMDP to allow for one cul-de-sac/court in lieu of the requirement that courts only occur for special design situations and between environmentally sensitive land areas;

8. Deleted as no longer applicable; and

9. Petitioner hereby petitions for a variance from Sections 259.9.F.4, 259.9.G.3 and 504.2 of the B.C.Z.R. and page 31 of Part III. Division VI, Section E of the CMDP to allow one court/cul-de-sac in excess of 40-0 ft. in length from the center line of the adjoining street.

Appearing at the hearing on behalf of the Development Plan approval and Variance requests were David Thaler, Ernest Sheppe and Alan Scoll, all representatives of D.S. Thaler & Associates, Inc., Mickey Cornelius, appearing on behalf of The Traffic Group, and G. Scott Barhight, attorney at law, representing the property owner. Appearing in opposition to the request were many residents from the surrounding community, all of whom signed in on the Citizens Sign-In Sheet. These individuals are too numerous to mention in the body of this Order. However, reference is made to the sign-in sheet which is contained within the Hearing Officer's file. In addition, representatives from the various Baltimore County reviewing agencies also attended the hearing; namely, Bob Bowling (Development Plans Review) and William A. Miner (Bureau of Land Acquisition), all from the Office of Permits & Development Management; R.

Bruce Seeley from the Department of Environmental Protection & Resource Management (DEPRM); Jeff Long from the Office of Planning; and Jan Cook from the Department of Recreation & Parks.

As stated previously, the Petitioner is requesting relief from the Baltimore County Zoning Regulations, as well as the Development Regulations contained within Section 26-206 of the Baltimore County Code. As to the Development Plan approval request, it is noted that a Concept Plan Conference was held on July 23, 2001. A Community Input Meeting was held thereafter at the Perry Hall High School on August 27, 2001. A Development Plan Conference followed on March 13, 2002 and a Hearing Officer's Hearing for this Development was held on April 4, 2002 in Room 106 of the County Office Building.

At the preliminary stage of the Development Plan hearing, I attempt to determine what, if any, issues or comments remain unresolved. Many of the issues raised at the preliminary stage were resolved by virtue of the submission of the Red Line Development Plan submitted as Developer's Exhibit No. 5 and/or the discussions held between the parties. However, not all issues were fully resolved and, therefore, testimony and evidence were taken by the various witnesses who attended this public hearing.

The first issue, which was unable to be resolved at the hearing, warranted that the hearing be continued and the record remain open until such time as the Department of Environmental Protection and Resource Management (DEPRM) could review data and information submitted by the Developer. This particular issue involved the suitability of the outfalls for the two storm water management areas proposed to be located on this property. These modifications were recent additions to the Development Plan and the technical information required to be submitted with those modifications were not fully reviewed by representatives of DEPRM. Of particular

concern to DEPRM and also several of the residents who attended the hearing was the storm water management facility proposed to be located in the far northwestern corner of the property. This storm water management facility is located along Cowenton Avenue and the outfall associated with this pond is proposed to discharge along an existing drainage swale on the east side of Cowenton Avenue. This recent modification to the Development Plan evolved by virtue of the extension of the entrance roadway through this subdivision and connecting to Cowenton Avenue. The Developer originally proposed a cul-de-sac terminus to this entrance road shown on the Development Plan as "Court A". However, at the request of some of the citizens who reside in the area, as well as County agencies, the Developer now proposes to make a through connection from E. Joppa Road to Cowenton Avenue. This has necessitated the proposal to locate the storm water management facility and outfall in the northwestern corner of the property.

Mr. Bruce Seeley, speaking on behalf of DEPRM, indicated that his office wished to perform a full review and analysis of this modification to ensure that the outfall pipe for this storm water management facility would not cause any greater impact on those properties located down gradient from the property over and above the amount of runoff that naturally flows from the property today. In the event DEPRM took issue with the information submitted by the Developer, then the case would be rescheduled for another public hearing. However, should the information be acceptable, then Mr. Seeley would notify this Hearing Officer that a future public hearing would not be warranted.

By letter dated April 23, 2002, Mr. R. Bruce Seeley, representative of DEPRM, notified this Hearing Officer that the issues raised at the public hearing regarding the suitability of the outfalls for both storm water management ponds have been fully resolved to the satisfaction of

his department. That letter, as well as the information attached thereto, are appended to this Order as Exhibit 1 and incorporated herein.

It should be noted that some of the citizens who attended the hearing raised the very same concern asserted by DEPRM relative to storm water drainage. They indicated that they would rely upon DEPRM'S review of this issue to ensure that their properties would not be adversely affected. Inasmuch as this particular issue over the storm water management facilities proposed for this subdivision have been resolved to the satisfaction of DEPRM, this issue does not warrant that the Development Plan be denied or restrictions imposed.

No other issues were raised by the Baltimore County reviewing agencies. All preliminary issues discussed at the hearing were resolved by virtue of the red line plan submitted at the hearing. However, several citizens raised issues which warrant discussion herein.

Mr. Jim Rawle owns property adjacent to the property proposed to be developed, situated along E. Joppa Road, immediately to the southeast of the Developer's property. Mr. Rawle proposes to subdivide his own property. He is concerned that adequate utilities be extended from this proposed development onto his land. He has requested that the drainage and utility easement proposed to be located between Lots #52 and #60 be extended to his property line so that he may utilize the same public utilities in furtherance of the development of his own property. The Developer indicated that this would be accomplished and that the utilities would be sufficient to accommodate the development of Mr. Rawle's property.

Another issue raised at the hearing concerned the road connection of this proposed development to Cowenton Avenue. Previously, the Developer proposed a dead-end cul-de-sac and no connection to Cowenton Avenue. However, the red line plan submitted at the hearing before me shows that a through connection is proposed to be made from E. Joppa Road to

Cowenton Avenue. Ms. Jeanette Poletynski did not favor this road connection and opposes same. Ms. Poletynski is against additional traffic being generated onto Cowenton Avenue, not only from the residents who purchase homes within this community, but also those who might drive down from E. Joppa Road. While Ms. Poletynski and others oppose the road connection to Cowenton Avenue, a great number of individuals support this connection. Submitted into evidence as Developer's Exhibit No. 2 was a petition signed by many residents of the area requesting that the connection be made in order to allow traffic to flow freely through this subdivision and provide a second means of access for the residents who purchase these lots. After considering the testimony and evidence offered at the hearing, I find that the connection to Cowenton Avenue should be required. This will provide two methods of access for the residents of this community and also allow for the free flow of traffic from these surrounding neighborhoods. Accordingly, this red line modification shall be approved.

The modification of the Development Plan to allow the road connection at Cowenton Avenue has caused those residents in that area to object to the traffic that will be generated by this subdivision. They feel that Cowenton Avenue is not a sufficient roadway to accommodate this additional traffic. Testifying on this issue on behalf of the Developer was Mr. Mickey Cornelius. Mr. Cornelius is a traffic expert employed by the firm of The Traffic Group. Mr. Cornelius testified that his office has performed studies of Cowenton Avenue and surrounding roadways and their intersections. He testified that, based on their studies, all surrounding intersections were determined to have a level of Service "A", which is the highest assessment given to these roadways. The level of Service "A" was given during off-peak hours. Mr. Cornelius also performed studies during the peak travel hours of the day. Based on his studies during this peak travel time, the surrounding intersections were classified as a Level of Service

"C". In his expert opinion, these surrounding roadways and intersections are more than capable of handling the traffic that will be generated not only by this subdivision, but by other surrounding communities which are planned to be developed in the future. Based on the testimony provided by Mr. Cornelius, I find that the road systems coupled with the modifications proposed to be made by this Developer, are sufficient to handle the traffic which will be generated by this 60 lot residential subdivision and, therefore, this issue is not sufficient to warrant that the Development Plan be denied.

There were no other issues raised at the hearing regarding the Development Plan. Therefore, the Red Line Development Plan submitted into evidence as Developer's Exhibit No. 5 shall be approved, subject to the conditions and restrictions imposed at the end of this Order.

As stated previously, the Developer has not only requested approval of a Development Plan, but has also requested a number of variances for this project. Variance # 1 is a request to allow the issuance of building permits for construction pursuant to the Moore's Meadows Development Plan and Variance #2 involves permission to allow all dwellings within the Bird River Sewer Subarea to connect to the Honeygo Run Sewer Interceptor. These variances involve Section 259.7 of the Baltimore County Zoning Regulations. Variance relief from that provision is permitted in accordance with Section 4A02.4.G of the Baltimore County Zoning Regulations. Testimony was taken on this issue from Mr. Cornelius, as well as Mr. Thaler and Mr. Scoll. Essentially, these two variances relate to a moratorium on the issuance of building permits for this project and also to allow certain of these lots to be sewered to the Honeygo Run Interceptor in lieu of the Bird River Subarea. Based on the testimony and evidence offered at the hearing, I find that this project would have less of an impact than that assumed by the District Standard that would otherwise restrict or prohibit the Development. In addition, I further find that the granting

of these two special variances would not adversely impact any other individual whose application was filed prior to this Petitioner's application. Furthermore, there is a sufficient amount of sewer capacity in the Honeygo Run Sewer Interceptor to accommodate not only the lots which are the subject of this Development Plan, but also all those other potential lots which may be developed in the future within the Honeygo Run Interceptor area. It should also be noted that all of the lots proposed to be developed herein will be serviced by gravity flow and there is no need for injector pumps. Accordingly, these special variances shall be granted.

Variance relief #3 and #4 related to Lot #57 as is shown on the Development Plan. Lot #57 is situated at the intersection of E. Joppa Road and the entrance road to this subdivision. The Developer proposes to orientate this house in a fashion so as to cause this variance relief to be generated. The Developer does not wish to face this house directly to E. Joppa Road or to the entrance road to this subdivision. By facing the house in either of those manners would cause the rear yard to be fully exposed to motorists traveling E. Joppa Road or the entrance road to the subdivision. By angling to the corner of the lot, the rear yard of the property is less obvious and the entrance to this subdivision is more aesthetically pleasing to motorists passing by. This is a design feature that, in the opinion of the Developer, makes for a nicer appearance to this community.

After considering the testimony and evidence offered regarding this variance request, I find that Variance #3 and #4 should be granted to allow the flexibility to this Developer to modify the orientation of the house proposed to be sited on Lot #57 in the fashion depicted on the site plan submitted into evidence.

Variance relief requested in #5, #6 and #9 relate to the single remaining cul-de-sac/court proposed to be located on the southeastern quadrant of the parcel to be developed. This cul-de-

sac services Lots #44 through #54. Variance #5 is to allow this cul-de-sac design feature in lieu of providing a through connection to adjacent properties. As can be seen by reviewing Developer's Exhibit #5, the Developer modified its Development Plan to allow a future right-of-way to connect to a previously landlocked adjacent property. By providing this road connection in the area between Lots #39 and #40, the variance request, as stated in Variance #5, becomes moot. Therefore, it is not necessary for this Developer to request this variance and it shall be dismissed as being unnecessary. As to Variance relief #7 and #9, as stated on the petition, and as that relief relates to the cul-de-sac/court in question, I find that that variance relief shall be granted.

The last remaining variance requested by this Developer involves permission to construct mountable curbs within this subdivision in lieu of the requirement for standard vertical curbs. This design feature enables the Developer to maintain flexibility as to the location of driveways that service the houses to be constructed on each lot. This particular request was also the subject of a waiver from Development Standards. Mr. Bob Bowling, appearing on behalf of the Department of Permits and Development Management, indicated that his department supports the Petitioner's request to allow the installation of these sloped curbs as opposed to the standard vertical curbing. This request was not opposed by anyone in attendance. Therefore, the Petitioner's request for variance and waiver shall be granted.

It warrants mentioning that Mr. William Libercci and Mr. Dennis Eckard, representatives of the Perry Hall Improvement Association, attended the hearing. Mr. Eckard testified that he wanted assurances that all of the lots contained within this subdivision will meet the 85 ft. width requirement at the front and rear of each home and that the road connection proposed to be installed between Lots #39 and #40 be actually paved with macadam for a distance of 140 ft.

from "Court A". Mr. Eckard testified that these paved dead-end streets provide an excellent area for children to ride bicycles, skateboards, roller skates, play basketball and/or other recreational activities. Therefore, pursuant to his request, I shall mandate that all lots proposed to be created within this subdivision shall maintain a minimum width of at least 85 ft. at the front and rear foundation lines of the homes to be constructed on those properties. Furthermore, the Developer shall pave a distance of 140 ft. of the access road leading into the property owned by Lena Myers from "Court A".

The Development Plan, as submitted with the modifications set out pursuant to the red line submittal entered into evidence as Developer's Exhibit No. 5 and subject to the conditions and restrictions imposed by this Order, shall be approved. Moreover, the Petition for Variance shall also be granted. I believe that the proposed development is appropriate and satisfies the spirit and intent of both the Zoning and Development Regulations. In addition, the project is in accordance with the spirit and intent of the high quality goal oriented Honeygo Standards. Although certain zoning variances are being requested, they are legally justified and are warranted, in view of the testimony and evidence offered at the hearing in support of those variances. Thus, the Development Plan shall be approved and the Petition for Variance granted.

Pursuant to the Zoning and Development Plan Regulations of Baltimore County, as contained within the Baltimore County Zoning Regulations and Subtitle 26 of the Baltimore County Code, the advertising of the property and the public hearing held thereon, the Development Plan shall be approved consistent with the conditions and restrictions imposed hereinafter and the Petition for Variance granted.

THEREFORE, IT IS ORDERED, by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, this 29th day of April, 2002, that the Development Plan for "Moore's Meadows" identified herein as Developer's Exhibit No. 5, be and it is hereby APPROVED.

IT IS FURTHER ORDERED, that the Petition for Variance seeking relief as follows:

1. Petitioner hereby petitions for a variance from threshold limits contained in the B.C.Z.R. Section 259.7, pursuant to B.C.Z.R. Section 259.8 and B.C.Z.R. Section 4A02.4.G (incorrectly referred to as "4A02.4.F" in Section 259.8), to permit the issuance of building permits for construction pursuant to the Moore's Meadows Development Plan;

2. Petitioner hereby petitions for a variance from Section 259.7.S of the B.C.Z.R., to allow all dwellings within the Bird River Subarea to connect to the Honeygo Run sewer interceptor;

3. Petitioner hereby petitions for a variance from Section 259.9.B.4.b of the B.C.Z.R., to allow a 25 ft. setback from E. Joppa Road in lieu of the required 40 ft. setback for Lot #57;

4. Petitioner hereby petitions for a variance from Section 259.9.B.4.e of the B.C.Z.R., to allow a 15 ft. setback from the rear property line in lieu of the required 50 ft. setback for Lot #57;

5. Deleted as being moot;

6. Petitioner hereby petitions for a variance from Sections 259.9.G.3 and 504.2 of the B.C.Z.R. and pages 29 and 31 of Part III. Division VI, Section E of the Comprehensive Manual of Development Policies to allow for mountable curbs in lieu of the requirement for standard vertical curbs;

7. Petitioner hereby petitions for a variance from Sections 259.G.3 and 504.2 and page 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for one cul-de-sac/court in lieu of the requirement that courts only occur for special design situations and between environmentally sensitive land areas;

8. Deleted as being moot; and

9. Petitioner hereby petitions for a variance from Sections 259.9.F.4, 259.9.G.3 and 504.2 of the B.C.Z.R. and page 31 of Part III. Division VI, Section E of the Comprehensive Manual of Development Policies to allow one court/cul-de-sac in excess of 40-0 ft. in length from the center line of the adjoining street.

be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the waiver to allow sloped curb and gutter in lieu of the standard vertical curb and gutter shall be APPROVED.

IT IS FURTHER ORDERED, that the approval of the Development Plan and the granting of the variances herein are subject to the following conditions and restrictions:

1. The drainage and utility easement located between Lots #52 and #60, which terminates at the common property line owned by James Rawle and Renata Ramsburg, shall be sufficient in width and shall contain the necessary utilities to allow the subdivision of that adjacent property.

2. The Developer shall be required to pave and improve with macadam paving a distance of 140 ft. of the road access leaving from "Court A" to the property owned by Lena Myers. This paved dead-end roadway shall be an amenity to the children in the neighborhood to use as a basketball court, skateboard riding, roller-skating, bicycle riding, etc.

3. All lots proposed to be located within this subdivision shall measure a minimum width of 85 ft. at the front and rear foundation lines of the houses to be constructed thereon.

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

Timothy Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

Exhibit 1

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco
Deputy Zoning Commissioner

DATE: April 23, 2002

FROM: R. Bruce Seeley, Project Manager RBS
Environmental Protection and Resource Management

SUBJECT: Moores Meadow
Development Plan

The unresolved issues pertaining to the subject Development Plan are resolved. The attached comments dated April 17, 2002 from the Stormwater Management Section of this Department recommend that the upstream property owner (the developer of Moores Meadow) grant permission to the downstream property owner allowing connection to the storm drain system at design point # 3. The Developer's engineer has provided verification that the stormwater management outfalls are suitable.

All outstanding issues have been addressed. If you have any questions, please contact me at 410-887-4488 extension 274.

Attachments

HEARING OFFICERS HEARING CONFERENCE
I.D. # A011321
MOORE'S MEADOW SECTION ONE
APRIL 4, 2002 @ 9:00 AM

STORM WATER MANAGEMENT COMMENTS:

1. The Storm Water Management Act:

   A. The Developer is responsible to address the requirements of the Baltimore County Code, Title 14, Article V.

   B. Provisions for exemptions, waivers and variances for Storm Water Management (SWM) are described in this document. Exemptions, waivers and variances should be applied for and granted (or denied) by the County before Development Plan approval is given.

   C. Conditions for recording plats and granting grading and building permits as related to SWM are also described in this document. The developer is advised to be aware of these conditions and include them in planning the project to avoid unnecessary delays to construction.

2. General Engineering Requirements:

   A. Peak management of the 2 and 10 year storm events is normally required. If the development is in certain designated inter-jurisdictional watersheds or, if deemed necessary Baltimore County, 100 year peak management may also be required.

   B. Please refer to the Storm Water Management Section of the Baltimore County Design Manual for general design criteria. Hydrology shall be in accordance with the June 1986 version of TR-55.

   C. Water quality measures are required to some degree on all projects not exempt from SWM. The developer is responsible for addressing all applicable requirements of agencies whether within or outside of Baltimore County having jurisdiction over water quality, streams or wetlands.

   D. Storm water management facilities are also subject to review and approval by the Baltimore County Soil Conservation District.

E. Storm water management facilities which either outfall to a Baltimore County storm drain system or for which a public road will serves as a pond embankment will be reviewed and approved concurrently by the Department of Public Works and the Department of Environmental Protection and Resource Management.

F. Site design must maintain, to the extent possible, predevelopment drainage patterns and characteristics. Diversion of drainage is discouraged and DEPRM reserves the right to prohibit drainage diversions it finds detrimental.

3. Maintenance Requirements:

A. Storm water management facilities may be maintained by Baltimore County if the following conditions are met, subject to approval of the Department of Environmental Protection and Resource Management:

(1) Residential subdivision in which all lots are for sale in fee.

(2) Requirements for public ponds given in the Baltimore County Department of Public Works Design Manual are all met.

(3) Storm water management facility is enclosed in a reservation shown on the record plat to allow the facility to be deeded in-fee to Baltimore County.

B. Private maintenance of SWM facilities is acceptable. A Deed of Declaration must be executed by the developer guaranteeing maintenance of and County access to SWM facilities before plats may be recorded and before grading or building permits may be granted. Storm water management facilities in residential subdivisions to be maintained privately by a Homeowners Association shall be designed according to the requirements for public ponds.

4. Guidelines for Development Plan Approval:

A. Show type, size and location of all SWM facilities on the Development Plan, including qualitative management facilities. Preliminary computations (hydrology) should be provided to verify that the SWM area(s) on the plan are adequate.

B. Show that all outfalls from SWM facilities and bypass areas are "suitable" as defined by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

C. Show that the SWM facilities do not create a hazard. An example of a hazard would be an embankment dam located so that in the event of a breach failure, down stream life or property is endangered.

D. List on development Plan any waiver or variance and give date of approval by Baltimore County.

5. Site - Specific Comments:

In addition to the above, each project will be given a brief review by the DEPRM's Division of Design and Review, and a set of specific comments will be provided. The developer is responsible for address these site specific comments, which are enumerated as follows:

A. 2, 10 and 100-year peak quantity management is required for this area.
B. Water quality measures consistent with the policy of DEPRM must be provided. Minimum water quality must be provided for the first 0.5 inch of runoff from all impervious areas. Infiltration practices must be investigated and are preferred where practical.
C. All site runoff must be conveyed to a suitable outfall without affecting the receiving wetland, watercourse, waterbody, storm drain or adjacent property.
D. A site visit was conducted on April 11, 2002. This office recommends that the upstream property owner grant permission to the downstream property owner to connect to the proposed Baltimore County storm drain system when it is constructed at design point #3.

R.A. Wirth for Lee A. Dregier

04/17/02

moore swm

PLEASE PRINT CLEARLY

CASE NAME____________________
CASE NUMBER__________________
DATE__________________________

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Stuart Kaplow	15 E [illegible] Ave	21286	[illegible]@stuartkaplow.com
Bill Collins	1907 Kings Forest Dr	Mt Airy	Bill.Collins@[illegible].com
BRIAN CHILDRESS	7115 AMBASSADOR RD.	BALTO. MD. 21224	bchildress@dsthaler.com

PLEASE PRINT CLEARLY

CASE NAME Moores Meadows
CASE NUMBER
DATE 05 - 01 - 07

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
D. Beaty	PHIA PO BOX 63	Perry Hall MD 21128	debra.beaty@BDK.
Tim Hearn	PO Box 44670 21236		thearne KLNB.com

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 07-385 SPH
DATE 5/1/06

COUNTY REPRESENTATIVE'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Walter Smith	PDR		3321

Case No.: 07-385 SPH MOORES MEADOWS

Exhibit Sheet

		Petitioner/Developer	Protestant
1A - 1B -	No. 1 Site Plan Elevations	AMENDED SITE PLAN TO ACCOMPANY PETITION	PERRY HALL IMPROVEMENT AUTHORIZATION
	No. 2	DIRECTOR'S WAIVER RECOMMENDATION	
	No. 3		
	No. 4		
	No. 5		
	No. 6		
	No. 7		
	No. 8		
	No. 9		
	No. 10		
	No. 11		
	No. 12		

EST. 1776
PERRY HALL
IMPROVEMENT ASSOCIATION, INC.
P.O. Box 63, Perry Hall, Maryland 21128-0063 phia@bcpl.net

February 1, 2007

At its January 4, 2007 meeting, the Perry Hall Improvement Association (PHIA) Board of Directors voted to organize a Planning and Zoning Committee. The responsibility for reviewing and acting on zoning matters is placed in this committee.

Nina Yeskis, Secretary

David Marks, President

PROTESTANT'S
EXHIBIT NO. 1

AFFIDAVIT

STATE OF MARYLAND
BALTIMORE COUNTY, SS:

TO WIT:

I hereby swear under penalty of perjury that I, Debra Beaty, am a duly-elected member of the Planning and Zoning Committee of the Perry Hall Improvement Association.

ATTEST:

Perry Hall Improvement Association

Nina Yeskis, Secretary

David Marks, President

Date: February 1, 2007

BLACK & DECKER

Debra Beaty
Systems Planner
Reliability Center

701 East Joppa Road - TW140
Towson, Maryland 21286
tel 410.716.2066
fax 410.716.3560
debra.beaty@bdk.com

Case No.: 07-385 SPH MOORES MEADOWS

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	AMENDED SITE PLAN TO ACCOMPANY PETITION	PERRY HALL IMPROVEMENT AUTHORIZATION
No. 2	DIRECTOR'S WAIVER RECOMMENDATION	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

1A - Site Plan
1B - Elevations

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management

May 1, 2007

William J. Wiseman, III
Zoning Commissioner
Baltimore County Office of the Zoning Commissioner

Re: Moore's Meadows
Case Number 07-385-SPH
PDM No. XI-728

Mr. Wiseman:

Please be advised that I recommend the granting of a waiver to a limited portion of the Honeygo design standards as petitioned for by the applicant in the referenced zoning case.

This recommendation is in accordance with section 32-4-107, Baltimore County Code.

If you have any questions, please do not hesitate to contact me on 3353.

Sincerely,

Timothy Kotroco

Timothy M. Kotroco,
Director

TMK:ws
C: file

Petitioners
Exhibit No. 2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 13, 2007

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

SUBJECT: Moores Meadows PDM # XI-728

INFORMATION:

Item Number: 7-385

Petitioner: U.S. Homes Corporation d/b/a Lennar Homes

Zoning: DR 3.5H

Requested Action: **Special Hearing**

SUMMARY OF RECOMMENDATIONS:

The subject property, known more specifically as "Moores Meadows" subdivision, is located within the Honeygo Overlay District of Baltimore County. This project is subject to certain architectural guidelines found within the Honeygo Overlay District building and site design standards. In this case, the petitioner is seeking zoning relief from section 259.9.C.3.a, which states, "*A two-car garage facing the street shall have two individual doors separated by a divider.*"

It is important to mention that at no time during stage one of the development review process was zoning relief requested for waiving the building and site design standards. Furthermore, the approved Final Development Plan (FDP - 10/24/03) shows a front elevation for a typical single-family detached dwelling with garages facing the street with bifurcated garages. Upon field inspection of the subject property, it was discovered that several single-family dwellings have been, or are currently being constructed with front loaded garages separated by a divider with approved materials.

This Office is aware that a number of dwellings have already been constructed in the development in violation of section 259.9.C.3.a. This fact does not condone continued violation of the Honeygo Overlay District building and site design standards. It is clear that the lots sited within the development can accommodate structures that meet all of the design criteria in this Overlay District, including the separation of front loaded garages into two, individual bays. Considering the existing conditions and circumstances the Office of Planning does not oppose the waiver of the said standard for those dwellings already constructed (subject lot has been

graded and a foundation has been poured). However this office does not support the continued building of dwellings or any future dwellings within the Moores Meadows Subdivision that do not conform to the Honeygo Overlay district standards or those of the Baltimore County Zoning Regulations.

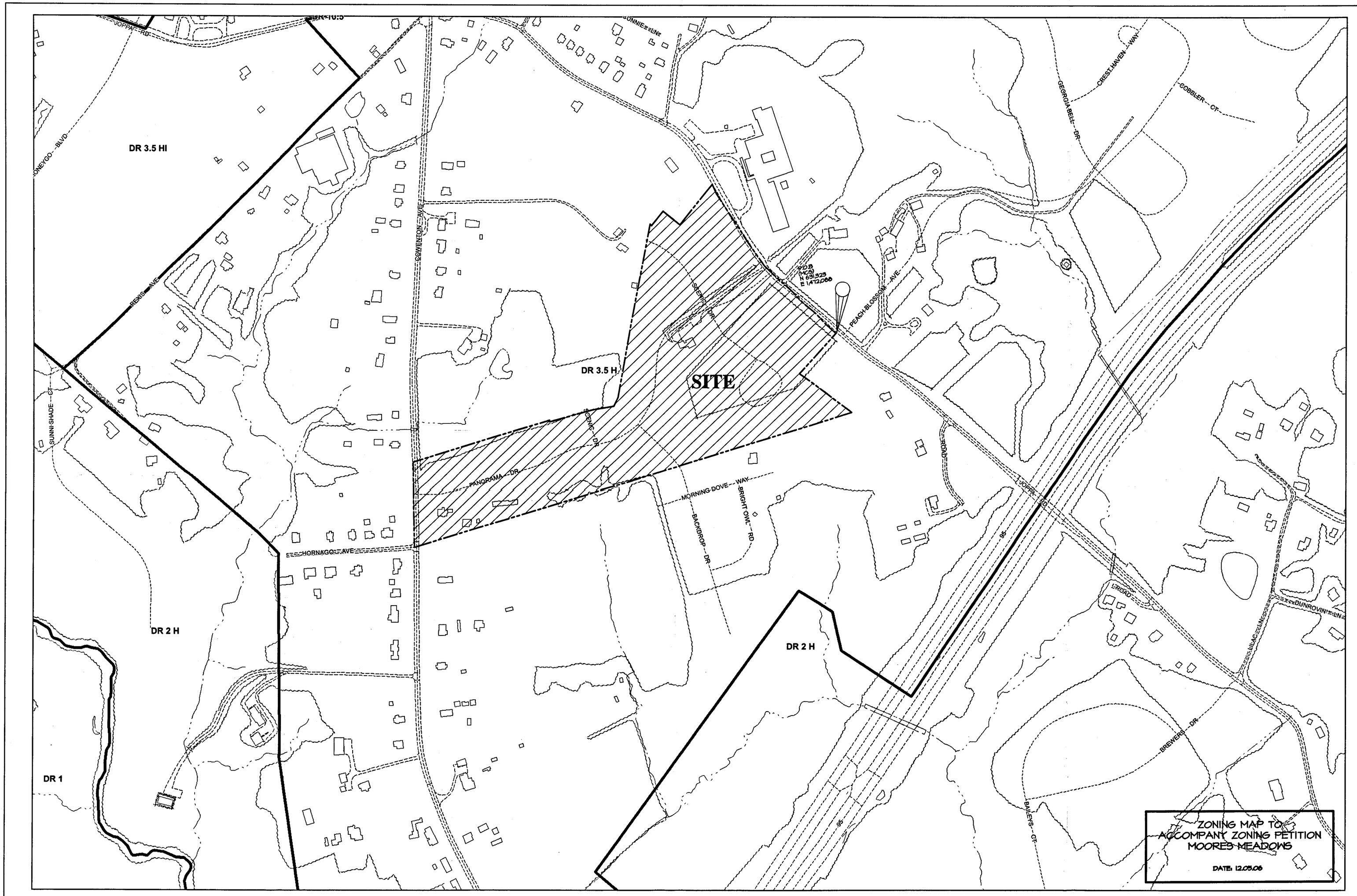
The petitioner is also requesting the approval of an amendment of an approved final development plan. The Office of Planning does not oppose the amendment of the said plan. However, the plan should reflect the concerns stated in the aforementioned comments. Revise the accompanying site plan to show a typical building that reflects those dwellings that are built and a separate typical dwelling that conforms to the Honeygo Overlay District building and design standards.

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

Reviewed by: _____

Division Chief: _____
AFK/LL: CM

W:\DEVREV\ZAC\7-385.doc



Plan Sheet: *072C2*

Note:
The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.

Legend

Zoning — Streams — Vegetation
Buildings — Roads — Rail Lines

Baltimore County
Office of Planning and Zoning
Official Zoning Map

072A1	072B1	072C1	073A1	073B1
072A2	072B2	072C2	073A2	073B2
072A3	072B3	072C3	073A3	073B3

Scale
1" = 200'
0 100 200 400 Feet

1

Data Sources:
Planametric Data - Baltimore County OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004

OWNER INFORMATION

LOT NO.	NAME	ADDRESS	CITY	STATE	ZIP	TAX ID NO.
1	Britt A. Huffman Amy C. Huffman	5213 E. Joppa Road	Perry Hall	MD	21128-9319	2400007707
2	Misbah Qureshi Faisal I. Ali	5211 E. Joppa Road	Perry Hall	MD	21128-9319	2400007708
3	Lisa A. Smith David G. Smith	5209 E. Joppa Road	Perry Hall	MD	21128-9319	2400007709
4	Mukhtar Qureshi Shamim Qureshi	5207 E. Joppa Road	Perry Hall	MD	21128-9319	2400007710
5	Ulises A. Lowman Cheryl A. Lowman	5200 Scenic Drive	Perry Hall	MD	21128-8940	2400007711
6	Olanrewaju S. Alonge Jean B. Alonge	5202 Scenic Drive	Perry Hall	MD	21128-8940	2400007712
7	Brian D. McElroy Ibahia O. Ibrahim-McElroy	5204 Scenic Drive	Perry Hall	MD	21128-8940	2400007713
8	Thomas C. Free, Jr. Cynthia Lynne Malinowski	5206 Scenic Drive 5208 Scenic Drive	Perry Hall	MD	21128-8940	2400007714
9	Christopher B. Schmuff Susan M. Radice	5201 Scenic Drive	Perry Hall	MD	21128-8940	2400007715
10	Zong C. Liu Amy Liu	5203 Scenic Drive	Perry Hall	MD	21128-8941	2400007716
11	Edward M. Herzing Linda M. Herzing	5205 Scenic Drive	Perry Hall	MD	21128-8941	2400007717
12	Hamon Eggbar Ryan M. Walsh	9130 Panorama Drive	Perry Hall	MD	21128-8948	2400007718
13	Jennifer M. Walsh Sylvia P. Price-Brooks	9128 Panorama Drive 9126 Panorama Drive	Perry Hall Perry Hall	MD MD	21128-8948 21128-8948	2400007719 2400007720
14	Dhamender S. Chona Poonam Chona	9124 Panorama Drive	Perry Hall	MD	21128-8948	2400007721
15	Vi Q. Tran Vu Huyen-Tram P.	9122 Panorama Drive 5650 Waterloo Road, Ste 230	Perry Hall Columbia	MD MD	21128-8948 21045-1943	2400007722 2400007723
16	Moores Meadows, LLC	(9120 Panorama Drive) 5650 Waterloo Road, Ste 230 (9116 Panorama Drive)	Columbia	MD	21045-1943	2400007724
17	Moores Meadows, LLC	9114 Panorama Drive	Perry Hall	MD	21128-8948	2400007725
18	Moores Meadows, LLC	9112 Panorama Drive	Perry Hall	MD	21128-8948	2400007726
19	Ascot Fang Phong Tran, Thai Long Phuoc	9110 Panorama Drive	Perry Hall	MD	21128-8948	2400007727
20	Thuy-Uyen Thi Tran Marco A. Padro	9108 Panorama Drive	Perry Hall	MD	21128-8948	2400007728
21	Pilar Pedro Ruxandra Davis, Howard A. Davis	9106 Panorama Drive	Perry Hall	MD	21128-8948	2400007729
22	Allen A. Davis, Ann Marie Davis Kyoung Sook Lee	9104 Panorama Drive	Perry Hall	MD	21128-8948	2400007730
23	Jonas Puritsch Selina C. Puritsch	153 Harford View Drive	Port Deposit	MD	21904-1031	2400007731
24	Danny T. Van Dyke Iris Bond	9103 Panorama Drive	Perry Hall	MD	21128-8949	2400007732
25	Jeffrey Kelley, 3rd Mei W. Kwan	9105 Panorama Drive	Perry Hall	MD	21128-8949	2400007733
26	Kenya Campbell	9107 Panorama Drive	Perry Hall	MD	21128-8949	2400007734
27	Britt A. Huffman Amy C. Huffman	10211 Wincopin Circle, Ste 180 (9109 Panorama Drive)	Columbia	MD	21044-3427	2400007735
28	Misbah Qureshi Faisal I. Ali	9111 Panorama Drive	Perry Hall	MD	21128-8949	2400007736
29	Lisa A. Smith David G. Smith	10211 Wincopin Circle, Ste 180 (9113 Panorama Drive)	Columbia	MD	21044-3427	2400007737
30	Kenya Campbell	9115 Panorama Drive	Perry Hall	MD	21128-8949	2400007738
31	US Home Corporation	9117 Panorama Drive	Perry Hall	MD	21128-8949	2400007739
32	Amy E. Van Kirk	9119 Panorama Drive	Perry Hall	MD	21128-8949	2400007740
33	Brandon K. Khairy	9121 Panorama Drive	Perry Hall	MD	21128-8949	2400007741
34	US Home Corporation	9123 Panorama Drive	Perry Hall	MD	21128-8949	2400007742
35	Ajay Behari Aparna M. Behari	9129 Panorama Drive	Perry Hall	MD	21128-8948	2400007743
36	Nancy D. Marco-Matrucci Anthony P. Matrucci	9131 Panorama Drive	Perry Hall	MD	21128-8948	2400007744
37	Sheng Hsiung Liao Jo-Mei Liao	10211 Wincopin Circle, Ste 180 (9133 Panorama Drive)	Columbia Perry Hall	MD MD	21044-3427 21128-8949	2400007745 2400007746
38	Marcelo A. Reid Sr. Timothy R. Hearn	9135 Panorama Drive	Perry Hall	MD	21128-8949	2400007747
39	Joyce K. Hearn Kyung Ha Kim	9137 Panorama Drive	Perry Hall	MD	21128-8949	2400007748
40	Sung Woo Kim Rajendra G. Reddy	9139 Panorama Drive	Perry Hall	MD	21128-8949	2400007749
41	Anita B. Reddy	9141 Panorama Drive	Perry Hall	MD	21128-8949	2400007750
42	US Home Corporation	5217 Scenic Drive	Perry Hall	MD	21128-8941	2400007751
43	Ann M. Moorhead Mark J. Ginski	5219 Scenic Drive	Perry Hall	MD	21128-8941	2400007752
44	Tiffany D. Ginski Michael W. Chen	5221 Scenic Drive	Perry Hall	MD	21128-8941	2400007753
45	Jasmine M. Douglas Chan Il. Kim	5223 Scenic Drive	Perry Hall	MD	21128-8941	2400007754
46	Derrick G. Lamb Clifford C. Murieses	5225 Scenic Drive PO Box 94	Perry Hall White Marsh	MD MD	21128-8941 21162-0094	2400007755 2400007756
47	US Home Corporation	10211 Wincopin Circle, Ste 180 (9221 Wincopin Circle)	Columbia	MD	21044-3427	2400007757
48	US Home Corporation	10211 Wincopin Circle, Ste 180 (9222 Scenic Drive)	Columbia	MD	21044-3427	2400007758
49	US Home Corporation	5220 Scenic Drive 10211 Wincopin Circle, Ste 180 (9218 Scenic Drive)	Perry Hall Columbia	MD MD	21128-8940 21044-3427	2400007759 2400007760
50	US Home Corporation	9119 Panorama Drive	Perry Hall	MD	21128-8949	2400007761
51	US Home Corporation	9121 Panorama Drive	Perry Hall	MD	21128-8949	2400007762
52	Diana K. Kafouros	9123 Panorama Drive	Perry Hall	MD	21128-8949	2400007763
53	US Home Corporation	9125 Panorama Drive	Perry Hall	MD	21128-8949	2400007764
54	Bertram Lekhar Christine Lekhar	9129 Panorama Drive	Perry Hall	MD	21128-8948	2400007765
55	QMAC Model Home Financing, Inc.	9131 Panorama Drive	Perry Hall	MD	21128-8948	2400007766
56	US Home Corporation	10211 Wincopin Circle, Ste 180 (9133 Panorama Drive)	Columbia Perry Hall	MD MD	21044-3427 21128-8949	2400007767 2400007768
57	Saleh Ahmed	9135 Panorama Drive	Perry Hall	MD	21128-8949	2400007769
58	Danny T. Van Dyke	9137 Panorama Drive	Perry Hall	MD	21128-8949	2400007770
59	US Home Corporation	9139 Panorama Drive	Perry Hall	MD	21128-8949	2400007771
60	Tangela R. Johnson	9138 Panorama Drive	Perry Hall	MD	21128-8949	2400007772
		5227 Scenic Drive	Perry Hall	MD	21128-8941	2400007773
		5225 Scenic Drive	Perry Hall	MD	21128-8941	2400007774
		5223 Scenic Drive	Perry Hall	MD	21128-8941	2400007775
		5221 Scenic Drive	Perry Hall	MD	21128-8941	2400007776
		5219 Scenic Drive	Perry Hall	MD	21128-8941	2400007777
		10211 Wincopin Circle, Ste 180 (5223 E. Joppa Road)	Columbia Perry Hall	MD MD	21044-3427 21128-8319	2400007736 2400007737
		5225 E. Joppa Road				

MOORES MEADOWS II

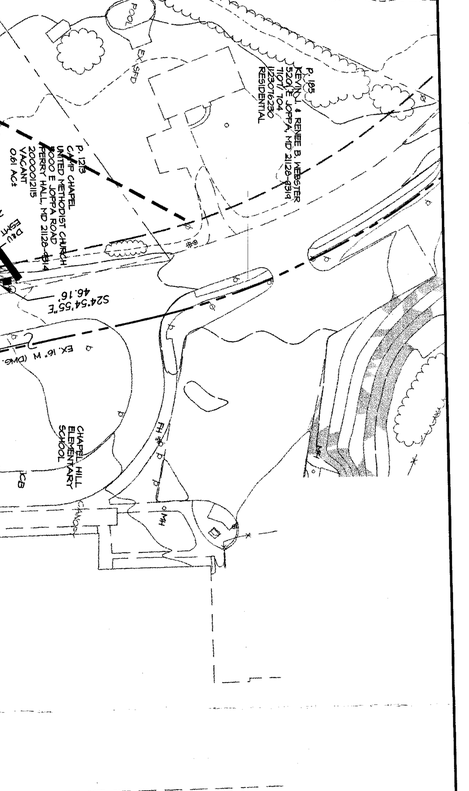
"THIS SITE IS IN THE HONEYGO OVERLAY DISTRICT 'H' AND IS WITHIN THE 'HONEYGO' AND 'BIRD RIVER' SUB-AREAS AND IS SUBJECT TO THE APPLICABLE HONEYGO AREA REGULATIONS, AS WELL AS OTHER BALTIMORE COUNTY ZONING REGULATIONS."

LEGEND

EXISTING: TRACT BOUNDARY; ZONING LINE; EASEMENT; INDEX CONTOUR; INTER. CONTOUR; SOILS; TREES; WETLANDS; ROAD; PERC. TEST FAILED; LIGHT; UTILITY POLE; STREAM; FIRE HYDRANT; SPECIMEN TREE; WETLANDS; STEEP SLOPES (25%+)

PROPOSED: FOREST BUFFER EASEMENT; INDEX CONTOUR; INTER. CONTOUR; ADT; FIRE HYDRANT; SANITARY SEWER; STORM DRAIN; WATER; LIGHT; FOREST BUFFER EMT.; REFORESTATION AREA; FLOOD PLAIN EMT.; H.O.A. COMMON AREA

VICINITY MAP — SCALE: 1"=1000'



PETITION FOR SPECIAL HEARING:
1. To waive the building and site design standards for the existing dwellings, to permit two car garages facing the street to have a single garage door in lieu of the required two individual doors seperated by a divider to Permit a single garage door, as required in the H and HI Overlay Districts by BCZR Section 259.9.C.3.a.
2. To approve the amendment of an approved final development plan, pursuant to BCZR Section 1B01.3.A.7, for the "1st Amended Final Development Plan for Moore's Meadows" approved 06/23/2004, such that the FDP will be consistent with the site plan that is the subject of this petition.

PROJECT NAME:
MOORE'S MEADOWS
PLAN TITLE:
PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING
COUNCILMANIC DIST.: 5
ELECTION DIST.: 11
FDM PROJ. NO.: XI-128

DEVELOPER:
US HOME CORPORATION d/b/a/ LENNAR
10211 WINCOPIN CIRCLE SUITE 101
COLUMBIA, MARYLAND 21044
ATTN: BILL COLLINS, DIRECTOR OF CONSTR.

COUNSEL:
STUART D. KAPLOW, P.A.
115 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286
ATTN: STUART D. KAPLOW, ESQUIRE

DST&D
D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS — SURVEYORS
LANDSCAPE ARCHITECTS — LAND PLANNERS
115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244
(410) 944-1ENGR (410) 944-9647

REVISIONS

PETITIONER'S EXHIBIT NO. 1A

DATE: JAN. 2007
SCALE: 1"=50'
SHEET 1 OF 2

MOORE'S MEADOWS
11th ELECTION DISTRICT — BALTIMORE COUNTY, MARYLAND

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING

SCALE: 1"=50'

Projects 9 am, Path: server/RL/Moores Meadows/Engr/Dwgs/EXHIBITS/ZONING PETITIO 12-04-06.dwg

GENERAL NOTES

1. DEVELOPMENT NAME: MOORES MEADOWS
2. APPLICANT:
US HOME CORPORATION d/b/a LENNAR
14 NEW PORT DRIVE, SUITE 101
FOREST HILL, MARYLAND 21050
ATTN. BILL COLLINS
3. OWNERS:
SEE OWNER CHART SHEET 1
4. PLAN PREPARED BY:
D.S. Thaler & Associates, Inc.
7115 Ambassador Road, P.O. Box 47428
Baltimore, Maryland 21244-7428
(410) 444-3647
ATTN. BRIAN CHILDRESS
5. PROPERTY REFERENCES:
Topography: Kings Aerial Mapping Co., Inc. (April, 2001) & D. S. Thaler & Assoc., Inc. (January, 2002) (On-site), Baltimore County - OIT 615 (File 012c2) (Off-site)
Utilities: Baltimore County Key Map (M-NE & S-SW); Baltimore County Design Drawings as noted.
Zoning: Baltimore County 200 Scale Zoning Map (2000) (NE 4-I & 10-I)
Soils: U.S.D.A. Baltimore County Soil Survey Manual (Map 37)
Wetlands: None on-site per American Land Concepts (June 2001); Off-site shown per American Land Concepts.
Floodplain: No 100 year floodplain exists on site (riverine or tidal)
Steep Slopes & Erodible Soils Analysis: D.S. Thaler & Associates, Inc. (November 2001) Approved by DEPRM, November 30, 2001
Forest Stand Delineation: American Land Concepts (June 2001) Approved by DEPRM July 26, 2001
Forest Conservation Worksheet: D.S. Thaler & Associates, Inc. (June 2001)

GENERAL DATA:
Election District: 11 — Watershed: 6
Census Tract: 4113.04 — Subwatershed: 20
Councilmanic District: 5

School Information:
School District: Chapel Hill Elem/ Perry Hall Middle/ Perry Hall High (2001-2002)

	State Rated Capacity (SRC)	Enrollment Sept. 30th	Enrollment Total Projected	Projected # pupils for the project	Capacity Above	Capacity Below	Projected # pupils as a % of SRC
Elementary:	624	512	533	21	--	91	85.4%
Middle:	1,773	1,444	1,503	9	--	270	84.8%
High School:	2,230	2,103	2,117	14	--	113	94.9%

6. SITE INFORMATION.
A. Acreage:
Gross = 28.0 Ac±
Net = 28.0Ac±
B. Existing Zoning: DR-3.5H @ 28.0 Ac±
C. Density Calculations:
Allowed: DR-3.5H @ 28.0 Ac± = 98 dwellings
Proposed: 54 single family detached dwellings
D. Parking:

	Single Family Homes	Pool (per County Code)
Required	2 spaces/unit	54 units x 4 bdrm x 25%/7 = 9 spaces
Proposed	2 spaces per unit	12 spaces

E. Open Space: "All Open Space shall be in compliance with the Local Open Space Manual, Latest Edition."
Required:
Active Open Space @ 650 SF/unit: 650 SF x 54 units = 0.806 Ac± or 35,100 SF±
Passive Open Space @ 350 SF/unit: 350 SF x 54 units = 0.434 Ac± or 18,900 SF±
Total: 1.240 Ac± or 54,000 SF±
Proposed:
Active Open Space: 0.91 Ac± or 39,632 SF±
Passive Open Space: 0.51 Ac± or 22,639 SF±
Total: 1.42 Ac± or 62,271 SF±

"All Local Open Space shall be in compliance with the Local Open Space Manual, Latest Edition, except as it may be modified and agreed to between the developer and the Department of Recreation and Parks."
"Temporary open space boundary markers, tree protection devices and four foot high snow fencing or approved equivalent shall be installed prior to any clearing or grading."
"Within the area shown as open space, disturbance beyond that which is shown on the development plan shall not be allowed without prior approval from the Department of Recreation and Parks."

F. Landscape requirements as specified in the Baltimore County Landscape Manual, adopted August 7, 2000 and as amended.
Note: Schematic Landscape Plan shown is preliminary in nature and is to show compliance with the Baltimore County Landscape Manual.
The Schematic Landscape Plan is subject to a Final Landscape Plan.
1 Planting Unit (P.U.) = 1 major deciduous tree (2-2-1/2" cal.) or 2 minor deciduous trees (1-1/2" cal.) or 2 evergreen trees (6' ht.) or 5 shrubs or (Class 'A', 24"-30" ht.) (Class 'B', 18" ht.)
500 S.F. of ground cover or 10 herbaceous/perennial (1 gal.)* or 20 herbaceous/perennial (1 quart)
*To meet Class D screening requirements only.

	Required	Proposed
A. STREET FRONTAGE: (Condition A) Adjacent Road @ 1 PU/40 L.F.	1,270 LF±/40= 31.8 P.U.	31.8 P.U.
Interior Road @ 1 PU/20 L.F.	3,140 LF±/20= 157 P.U.	157 P.U.
B. PARKING LOTS: (Condition B) Perimeter Screening - Adjacent to public right-of-way Class 'B' (minimum installed height of 18" for shrubs and 6' for evergreen trees) @ 1PU/15 L.F. of perimeter	120 LF±/15= 8 P.U.	8 P.U.
- Interior Road @ 1 PU/20 L.F.	40 LF±/20= 2 PU	2 P.U.
- Interior landscape @ 1 PU/12 spaces (7% of parking lot) Island/median: 4' minimum width Building face-to-face of curb: 6'	12 spaces/12= 1 PU	1 P.U.
B. REAR & SIDE YARD: (Condition B) Class 'A' screen (minimum installed height of 24"-30" for shrubs and 6' for evergreen trees) 1 PU/ 15 LF	145 LF±/15= 13 P.U.	13 P.U.
I. SWM (Condition 1) Screen adjoining properties, public and private roads when slopes are > 4 : 1 Class 'A' screen 1 PU/ 15 LF of perimeter measures at toe of fill slopes and top of cut slopes - No woody vegetation within 15 feet of the toe of fill embankments - 10 foot landscape strip between no planting zone and property line - No woody vegetation within 50 feet of inlet structure - Fencing shall be located min 10' from R/W	785 LF±/15= 52.3 P.U.	52.3 P.U.
R. OPEN SPACE (Condition R) @ 1 PU/ 1500 S.F. of required open space Credit may be given for retention of existing trees	60,000 SF±/1500= 40 P.U.	40 P.U.
TOTAL:	305.1 P.U.	305.1 P.U.

Credit may be applied for at time of Final Landscape Plan submittal.
The Final Landscape Plan will be approved prior to grading permit application.

7. UTILITIES: Public water and sewer will be provided. Onsite utilities will be public.
8. USE: The existing use is Residential and Agricultural. The proposed use is Residential.
9. ENVIRONMENTAL: There are no known critical areas, archaeological sites endangered species, or hazardous materials* on the site.
*As known to the applicant, location and description of hazardous materials as defined by Section 7-101 of the Environmental Article of the annotated Code of Maryland, as from time to time amended.
10. AVERAGE DAILY TRIPS (ADTS): Average daily trips as calculated from the Baltimore County Comprehensive Manual of Development Policy. Single Family: 54 units x 10/unit = 540 ADTS; Single Family: 30 units x 10/unit = 300 ADTS; TOTAL = 840 ADTS
11. STORMWATER MANAGEMENT: Stormwater management will conform to Baltimore County Standards. Stormwater management facilities will be owned and maintained by the Home Owners Association or by Baltimore County. Stormwater management facilities shall be screened from adjacent residential properties. Preliminary hydrology computations have been provided to DEPRM with the filing of the Development Plan. The Hydrology Report verifies that the outfalls are suitable. Slopes for the storm water management ponds shall not exceed a ratio of 3:1 per Section 254.1.C.8. (Baltimore County Zoning Regulations)
12. GRADING: Grading shown is schematic only.
13. VEGETATION: Existing vegetation will be retained in areas not needed for construction or grading. Existing vegetation consists of woods, scrub areas and lawn.
14. SIGHT LINES: Proposed sight lines are shown on the plan and will be cleared and graded and kept permanently clear to ensure unobstructed sight at all times.
15. STORAGE TANKS: There are no known underground storage tanks on site.
16. LIGHTING: Proposed lighting is shown as ▲. Lighting is schematic and subject to change.
17. No Zoning Case History has been found. This property as shown on the plan has been held intact since (see note #5) (according to deeds). No known part of the gross area of this property as shown on the plan has been utilized, recorded or represented as density or area to support any off-site dwellings. Existing buildings (as noted on the plan) to be removed will be razed by the developer prior to Record Plat.
18. Soil and Slope Mitigation Measures: The developer shall do the following in those areas where severe or moderate soil limitations are indicated and/or steep slopes occur:
a. Insure that grading plans consider protection of these areas from increase in run-off. This may include draining roof down spouts and drives into storm drains.
b. Stabilization of disturbed areas in accordance with approved sediment control practices.
c. Consider geotechnical assistance with on-site inspectors as appropriate.
19. Sidewalks shall be provided on all public roads. (Subject to Waiver Request for Cowenton Avenue Improvements).
20. Future signs shall conform with BCZR Section 450 and all zoning policies.
21. Building envelopes and/or footprints shown are for illustrative purposes and may not represent the final location for any particular dwelling. Final house location will be subject to the various standards and limitations illustrated by the details and charts included on this plan.
22. Existing septics (as noted) shall be field located, removed and backfilled by a licensed septic system contractor when sanitary sewer becomes available. There are no known existing wells on site. Existing residences are served by public water. The existing connections will be abandoned.
23. Proposed roads and utilities will be public.
24. Envelopes shown hereon are for the location of principal buildings only. Accessory structures and projections into yards may be constructed outside the envelope, but must comply with Sections 254.9, 301 and 400 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building permits.) Fencing shall comply with Section 254.9.C.6. (Baltimore County Zoning Regulations). (See "Applicable Excerpts" for additional information.)
25. Maximum building height allowed is 50 feet. Two story homes are generally proposed.
26. According to Glenn Hoge, Office of Planning, MTA, the nearest MTA service to this site is at the intersection of Belair Road (US Route 1) and Joppa Road (bus line #15).
27. The "Recommended Areas of Critical State Concern" map included on this sheet indicates the general Perry Hall/White Marsh area as a "ground water problem area". No ground water extraction is proposed for this development.
28. A CIM was held on August 27, 2001. The minutes which identify all comments can be found in PDM File No. XI-637, on file in Room 123 of the Baltimore County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204.
29. There are no known limitations established by the Courts, County Board of Appeals, Planning Board or Zoning Commissioner or restrictive covenants recorded with individuals or groups which would limit proposed development on this site.
30. There are no buildings, properties or sites within or contiguous to the proposed development included on the Maryland Historical Trust Inventory of Historic Properties, Baltimore County Preliminary or Final Landmarks List, the National Register of Historic Places, the Maryland Archaeological Survey, nor any Baltimore County Historic District or National Register Historic District covering the proposed development.
31. A Hydrogeological Report and an Environmental Effects Report has been filed concurrently with this Development Plan.
32. A Preliminary Forest Conservation Plan and worksheet has been filed independently of this plan in accordance with Section 14-408. A Forest Retention Investigation Report has been filed.
33. This site does not lie within the limits of the Chesapeake Bay Critical Area. No additional information is requested by the Department of Environmental Protection and Resource Management to determine compliance with the Critical Area Local Protection Program pursuant to Section 26-442(c).
34. Residential Transition Areas do not apply to residential uses in the H and H1 overlay Districts per Section 259.9.B.1. (BCZR)
35. The property is located in the Bird River Subarea and the Honeygo Subarea. All Honeygo density and area standards will be met or subject to a Public Zoning Hearing.
36. Proposed roads will be public. Alleys are private. Highway widening for E. Joppa Road and Cowenton Avenue and all proposed public roads are indicated for dedication to Baltimore County will be offered for dedication at no cost to the County. The proposed roads are neither arterial or collector roads.
37. The Honeygo Overlay Design guidelines were adopted by the County Council on 3-17-47. The Honeygo Regulations over ride conflicts with other Baltimore County Zoning Regulations.
38. All dwellings will meet the standards set forth in Section 259.9.A-6 of BCZR and the Honeygo Overlay District Guidelines.
39. All fencing shall be in conformance with the Honeygo Overlay District Design Guidelines, and any fence more than three feet high shall also be setback at least five feet from any public right-of-way other than an alley. Landscaping shall be provided on the street side of the fence.
40. The Bureau of Traffic Engineering and Planning has confirmed that the subject site is within a traffic deficient area (Belair @ Ebenezer) per Keith Link; however, Development Plans are currently being accepted due to the recent opening of the extension of Honeygo Blvd.
41. Proposed homes along Joppa Road shall have trash pickup and mail delivery along Joppa Road.
42. The private driveway access for lots 1-4 and 56-60 shall be constructed in accordance with Baltimore County Panhandle Standards and Specifications.
43. No utilities, whether public or private, including but not limited to, telephone, cable television, gas and electric, water, sewer and storm drains shall be placed or constructed on or within the areas labeled as open space without prior written consent from Baltimore County Department of Recreation and Parks.
44. The design, construction and installation of all amenities as shown on the development plan shall be the responsibility of the developer.
45. The swimming pool will be sized to, at a minimum, accommodate the 60 dwellings proposed hereon, in accordance with Baltimore County Health Department regulations.
46. "Any Forest Conservation Easement or 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."
47. "There shall be no clearing, grading, construction or disturbances of vegetation in the Forest Conservation Easement or Forest Buffer Easement except as permitted by Baltimore County Department of Environmental Protection and Resource Management."
48. A Preliminary Forest Conservation Plan and worksheet has been filed independently of this plan in accordance with Section 14-408. A Forest Retention Investigation Report has been filed.
49. Baltimore County Forest Conservation Easement and Forest Buffer Easement access shall be provided under a blanket easement, over any proposed private roads and as shown.
50. "A variance was granted by the Baltimore County Department of Environmental Protection and Resource Management from Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains to allow a reduction of the forest buffer by establishing good vegetative cover on the existing poor pasture cover within the Forest Buffer Easement. Conditions were placed on this variance to reduce water quality impacts. These conditions include, but were not limited to permanent fencing and posting of signage along the Forest Buffer Easement as well as establishing both good vegetative cover and reforestation in the Forest Buffer Easement."
51. The sediment control/grading plan will not be approved until there is 80% ground coverage of grassy/herbaceous vegetation, at least two inches tall, in the mitigation area.
52. The Forest Buffer Easement shall be posted at 75' intervals with "Forest Buffer Do Not Disturb Signs" prior to issuance of any building permits for the adjacent lots.
53. A permanent fence shall be installed as shown along the limit of the Forest Buffer Easement prior to the issuance of any building permits for the adjacent lots.
54. There are no rights of way recorded along the applicable sections of Joppa Road and Cowenton Avenue, per the Baltimore County Bureau of Land Acquisition.
55. This development plan is approved by the director of p.d.m. based upon 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 purpose of occupancy.
56. Accessory structure note:
a. 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 and 301 of the Baltimore County zoning regulations (subject to covenants and applicable building permits).
b. Accessory structures, fences, and projections into yard cannot be located in flood plain areas or hydric soils.
57. Unless otherwise stated to the contrary, 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.
58. If drainage, utility, and walkway easements are fenced, then at least 5 feet must remain open for pedestrian access.
59. A landscape plan must be approved by the Office of Planning prior to the issuance of a building permit.

PUBLIC WORKS WAIVER REQUEST

(WITHDRAWN) ~~(W-1)~~ ~~To waive the required improvements to Cowenton Avenue.~~
(GRANTED) (W-2) To permit the use of concrete mountable curb and gutter in lieu of standard concrete curb & gutter.

REQUESTS FOR VARIANCES:

(GRANTED) (V-1) Petitioner hereby petitions for a Variance from the threshold limits contained in Baltimore County Zoning Regulations ("BCZR") Section 259.7, pursuant to BCZR Section 259.8 and BCZR Section 4A02.4.G (incorrectly referred to as "4A02.4.F" in Section 259.8), to permit the issuance of building permits for construction pursuant to the Moores Meadows Development Plan.
(GRANTED) (V-2) Petitioner hereby petitions for a Variance from BCZR Section 259.7.S to allow all dwellings within the Bird River Subarea to connect to the Honeygo Run sewer interceptor.
(GRANTED) (V-3) Petitioner hereby petitions for a Variance from BCZR Section 259.9.B.4.b to allow a 25' setback from E. Joppa Road in lieu of the required 40' setback for Lot #57.
(GRANTED) (V-4) Petitioner hereby petitions for a Variance from BCZR Section 259.9.B.4.e to allow a 15' setback from the rear property line in lieu of the required 50' setback for Lot #57.
(DELETED AS MOOT) ~~(V-5)~~ ~~Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 26 of Part III, Division V, Section E of the Comprehensive Manual of Development Policies to allow for one cul-de-sac/court in lieu of the requirement that courts only occur for special design situations and between environmentally sensitive land areas.~~
(GRANTED) (V-6) Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and pp. 29 and 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for mountable curbs in lieu of the requirement for standard vertical curbs.
(GRANTED) (V-7) ~~Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for one cul-de-sac/court in lieu of the requirement that courts only occur for special design situations and between environmentally sensitive land areas.~~
(DELETED AS MOOT) ~~(V-8)~~ ~~Petitioner hereby petitions for a Variance from BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for a court without a landscaped median at the turn-around section of the court.~~
(GRANTED) (V-9) Petitioner hereby petitions for a Variance from BCZR Section 259.9.F.4, BCZR Section 259.9.G.3, BCZR Section 504.2, and p. 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for one courts/cul-de-sacs in excess of 400' in length from the center line of the adjoining street.

ORDER

HEARING OFFICER'S HEARING #XI-728
CASE #02-376-A

THEREFORE, IT IS ORDERED, by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, this 22nd day of April, 2002, that the Development Plan for "Moore's Meadows" identified herein as Developer's Exhibit No. 5, be and it is hereby APPROVED.

IT IS FURTHER ORDERED, that the Petition for Variance seeking relief as follows:

1. Petitioner hereby petitions for a variance from threshold limits contained in the B.C.Z.R. Section 259.7, pursuant to B.C.Z.R. Section 259.8 and B.C.Z.R. Section 4A02.4.G (incorrectly referred to as "4A02.4.F" in Section 259.8), to permit the issuance of building permits for construction pursuant to the Moore's Meadows Development Plan;
2. Petitioner hereby petitions for a variance from Section 259.7.S of the B.C.Z.R., to allow all dwellings within the Bird River Subarea to connect to the Honeygo Run sewer interceptor;
3. Petitioner hereby petitions for a variance from Section 259.9.B.4.b of the B.C.Z.R., to allow a 25 ft. setback from E. Joppa Road in lieu of the required 40 ft. setback for Lot #57;
4. Petitioner hereby petitions for a variance from Section 259.9.B.4.e of the B.C.Z.R., to allow a 15 ft. setback from the rear property line in lieu of the required 50 ft. setback for Lot #57;
5. Deleted as being moot;
6. Petitioner hereby petitions for a variance from Sections 259.9.G.3 and 504.2 of the B.C.Z.R. and pages 29 and 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for mountable curbs in lieu of the requirement for standard vertical curbs;
7. Petitioner hereby petitions for a variance from Sections 259.G.3 and 504.2 and page 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow for one cul-de-sac/court in lieu of the requirement that courts only occur for special design situations and between environmentally sensitive land areas;
8. Deleted as being moot; and
9. Petitioner hereby petitions for a variance from Sections 259.9.F.4, 259.9.G.3 and 504.2 of the B.C.Z.R. and page 31 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies to allow one court/cul-de-sac in excess of 400 ft. in length from the center line of the adjoining street.

be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the waiver to allow sloped curb and gutter in lieu of the standard vertical curb and gutter shall be APPROVED.

IT IS FURTHER ORDERED, that the approval of the Development Plan and the granting of the variances herein are subject to the following conditions and restrictions:

1. The drainage and utility easement located between Lots #52 and #60, which terminates at the common property line owned by James Rawle and Ronata Ramsburg, shall be sufficient in width and shall contain the necessary utilities to allow the subdivision of that adjacent property.
2. The Developer shall be required to pave and improve with macadam paving a distance of 140 ft. of the road access leaving from "Court A" to the property owned by Lena Myers. This paved dead-end roadway shall be an amenity to the children in the neighborhood to use as a basketball court, skateboard riding, roller-skating, bicycle riding, etc.
3. All lots proposed to be located within this subdivision shall measure a minimum width of 85 ft. at the front and rear foundation lines of the houses to be constructed thereon.

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

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER ON MOTION FOR RECONSIDERATION

HEARING OFFICER'S HEARING #XI-728
CASE #02-376-A

In an effort to further clarify my condition of approval which mandated that the Developer provide access to the property owned by Lena Myers, it is this 11th day of September, 2002, by this Deputy Zoning Commissioner/Hearing Officer,

ORDERED that:

1. The road connection from "Court A" to the property owned by Lena Myers, as depicted on the Development Plan submitted at the original Hearing Officer's Hearing, shall be engineered, designed and constructed pursuant to Baltimore County's standards and specifications and the elevation of the roadbed itself shall be constructed as close to the existing grade of the Myers' property as is practicable. Any and all grading plans for the future construction of this road connection shall be submitted to the Department of Public Works for compliance with this restriction.
2. The Developer shall be required to extend such public utilities to the property owned by Ms. Lena Myers as are contained and planned for within the Moore's Meadow residential subdivision. The Developer should only be required to extend such public utilities as actually exist within their own subdivision. These utilities shall be extended within the interconnecting roadbed as shown on the Development Plan. Again, the final review of the method by which these public utilities are extended shall be reviewed and approved by the Department of Public Works.
3. The Developer shall be required to construct and install the roadbed and extend public utilities at approximately the same time that the feeder road, shown on the plan as "Court A", is constructed and installed on the property. These road improvements shall be made coincidental with one another.
4. The Developer shall be required to dedicate the interconnection road, as well as the feeder road identified as "Court A" to Baltimore County at the same time. These dedications shall be in accordance with the policies and procedures normally followed and as are established by the Bureau of Land Acquisition and other agencies of Baltimore County.
5. The Developer shall be required to pave the entire length of the interconnector road between "Court A" and the Lena Myers' property coincidental to the time that "Court A" is actually paved with macadam. My previous restriction indicated a distance of 140 ft. However, upon reconsideration, the Developer shall be required to pave the road in its entirety up to the property line owned by Lena Myers.

IT IS FURTHER ORDERED, that the remaining matters raised within the Motion for Reconsideration and the Answer filed thereto, are not appropriate for me, as Hearing Officer, to rule upon at this time. The determination as to when Lena Myers or her successors or assigns may be permitted to utilize the road system contained within the Moore's Meadow subdivision must be decided at a future date. It is obvious to me that Ms. Myers has proper access at this time to her property by some other means other than through the property owned by this Developer. Perhaps her driveway is not sufficient to allow her property to be developed into residential lots. However, I suggest that it is proper to provide access to Ms. Myers herself. The time at which Ms. Myers may have full access through the road system contained within Moore's Meadow shall be determined by the Director of Public Works, at such time as that agency believes it is appropriate to allow access to the general public on this road system. This question of timing should not be decided by me in Phase I of this project, but rather should be determined later in the development process. Therefore, I do not believe it is appropriate for me as Hearing Officer to make a finding by way of this Order as to when Ms. Myers or her successors or assigns may be permitted to use this road system. This decision must be made at a future date by the Director of Public Works in consultation with other appropriate Baltimore County agencies.

IT IS FURTHER ORDERED, that any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code, the applicable provisions of law, and within thirty (30) days from the date of this Order.

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

APPLICABLE EXCERPTS FROM THE HONEYGO DEVELOPMENT STANDARDS:

259.9 Development standards for H and H1 Overlay Districts. [Bill No. 176-1994]

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

A. Uses. [Bill No. 73-1994]
1. Back-to-back group homes are not permitted.
2. Retail establishments exceeding 65,000 square feet are not permitted.
3. Accessory structures, including but not limited to solar panels, antennas, satellite dishes, trash pads and storage sheds are not permitted in the front yard of any principal use.

B. Bulk and area standards. [Bill Nos. 40-1997, 73-1994]
1. Except for nonresidential principal buildings or uses, and their accessory parking, the requirements of Section 1B01.1.B.1. (residential transition area) of these regulations do not apply.
3. Except for properties with approved development plans or CRG plans, the minimum width for any single-family detached lot is 85 feet as measured along both the front wall and rear wall of the dwelling unit.
4. Except as provided in this section, the provisions of Section 1B01.2.C apply to development in the overlay districts. In the districts, the minimum residential dwelling setbacks are:
a. Ten feet from the right-of-way of a collector street, neighborhood street, alley or court as defined in the Honeygo Overlay District design guidelines;
b. Forty feet from the right-of-way of a major or minor arterial or collector road, as defined in these regulations. (In this case, Joppa Road; except: see variance request V-3, for Lot 57 only);
c. Not applied to porches or stoops in front yards; and
d. Six feet from a side yard lot line that is not adjacent or the same as a public right-of-way if the dwelling unit is designed to have a side or rear entry garage. However, the sum of all side yard widths may not be less than 20 feet.
e. Except for properties with approved development plans or CRG plans, 50 feet from the rear property line except for:
(1) Unroofed additions, including patios and decks; and
(2) Roofed additions which do not exceed in width 50% of the dwelling unit, and which do not extend more than 10 feet into the rear yard setback area.

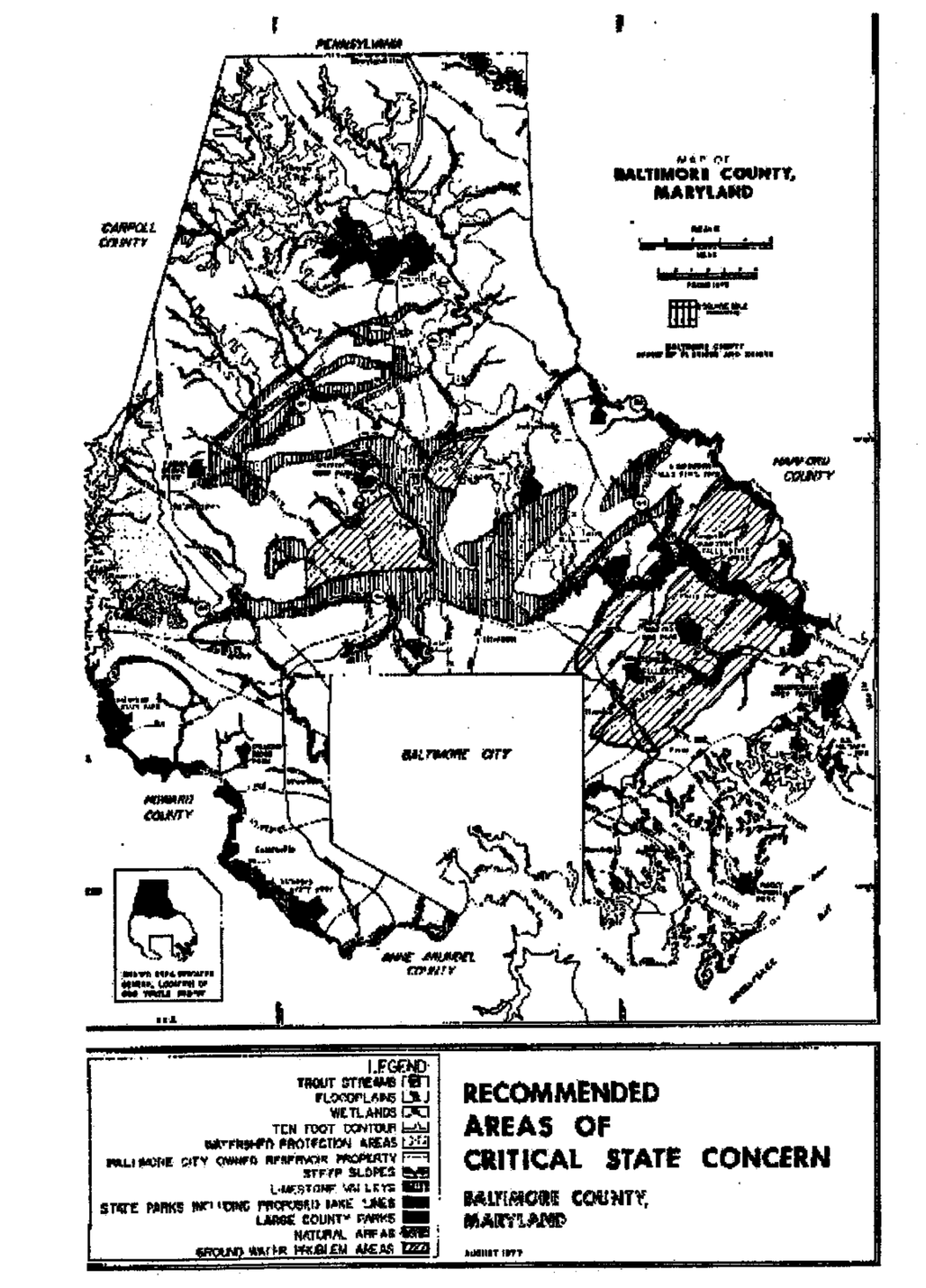
C. Building and site design standards.
1. Panhandle lots are not permitted unless:
a. The underlying zoning of the land is D.R.;
b. No more than two lots share a driveway; and
c. Lots exceed 30,000 square feet in area.
2. Reverse frontage lots are not permitted.
3. [Bill No. 73-1994]
a. Except for properties with approved development plans or CRG plans, which shall be allowed front entry garages in accordance with the regulations in effect prior to January 14, 1995, a front entry garage shall be recessed at least eight feet behind the front facade of the dwelling. A two-car garage facing the street shall have two individual doors separated by a divider. The front facade of all garages, including the divider and not including the garage doors, shall be constructed of the same approved materials as the front facade of the building. (Approved materials are brick and stone.)
b. The exterior surface of a side-entry garage, not including the garage doors, which faces the front of the dwelling shall be constructed of the same approved materials as the front facade of the building. (Approved materials are brick and stone.)
4. The exterior surface on the front facade of all residential dwellings, not including the garage doors, shall consist of at least 70% of approved materials. [Bill Nos. 40-1997, 73-1994] (Approved materials are brick and stone.)
5. Building exteriors shall be of finished quality and similar architectural treatment, as defined in the Honeygo District Design Guidelines, to grade or, where that is not feasible, shall be finished to within 12 inches of grade on all sides of the building.
6. All fencing shall be in conformance with the Honeygo Overlay District Design Guidelines, and any fence more than three feet high shall also be setback at least five feet from any public right-of-way other than an alley.
7. Roofs shall be pitched in accordance with the Honeygo Overlay District Design Guidelines. (That is a minimum slope of 6:12 per p.6, "Building Design".)
8. Stormwater management pond slopes, where management is not provided through a regional facility, shall not exceed a ratio of 3:1.
9. Rooftop equipment shall be screened so it is not visible from the ground level of adjacent buildings.
10. All inside group townhouses shall be at least 20 feet wide and all end of group townhouses shall be at least 22 feet wide. [Bill No. 40-1997]

D. Signage standards. Signs are permitted, subject to Sectin 450. [Bill No. 84-1997]

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

F. Parking standards.
1. The provisions of Section 4406 of these regulations apply except as provided in this subsection. [Bill No. 73-1994]
2. The provisions of Section 102.4 of these regulations do not apply and any lot may have sole access to an alley with a right-of-way of at least 16 feet.
3. Off-street parking bays are not permitted.
4. A cul-de-sac or court shall not exceed 400 feet in length unless, as determined by the Director of Environmental Protection and Resource Management, a longer length is needed to prevent encroachment on protected areas.
5. All streets shall have sidewalks and shall be planted with trees according to the standards for the street classification, as defined by the Honeygo Overlay District Design Guidelines.

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



RESIDENTIAL BUILDING SETBACKS- D.R. ZONES HONEYGO OVERLAY DISTRICT	D.R. 3.5 H & D.R. 3.5 H1	D.R. 2 H
From building face to: right-of-way of a collector street, neighborhood street, alley or court. (not applied to porches or stoops in front yard)	10'	10'
From building face to: right-of-way of a major or minor arterial or collector road. (not applied to porches or stoops in front yard)	40'	40'
From building face to: Rear property line (Except for unroofed additions including patios and decks and roofed additions which do not exceed in width 50% of the dwelling unit and which do not extend more than 10 feet into the rear yard setback area)	50'	50'
From building face to: The side yard lot line that is not adjacent or the same as a public right of way if the dwelling unit has a side or rear entry garage.	6' (sum of all side yards widths may not be less than 20')	6' (sum of all side yards setbacks may not be less than 20' between buildings)
Front entry garage shall be recessed behind the front facade of the dwelling.	8' min.	8' min.

This table lists minimum setback requirements for urban residential use. For a fuller explanation of these and other requirements, consult the Comprehensive Manual of Development Policies (CMDP) and Bill 73-94.

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

SOILS

SYMBOL	NAME	HOMES W/ BSMNT.	HOMES W/O BSMNT.	STREETS & PARKING LOTS	AGRICULTURAL CAPABILITY
AdB2	Aldino Silt Loam, 3-8% slopes, moderately eroded	Mod.	Slight	Mod.	IIe-14*
LnB	Lenoir silt loam, 0-5% slopes	Severe	Severe	Severe	IIIw-5*
LnC3	Lenoir silty clay loam, 5-12% slopes, severly eroded	Severe	Severe	Severe	IVe-4
LyD	Loamy and clayey land, 5-15% slopes	Severe	Severe	Severe	VIe-2
NeB2	Neshaminy silt loam, 3-8% slopes, moderately eroded	Slight	Slight	Mod.	IIe-4*
NeC2	Neshaminy silt loam, 8-15% slopes, moderately eroded	Mod.	Mod.	Severe	IIIe-4*

(*) DENOTES PRIME AND PRODUCTIVE SOILS

ORDER
CASE NO. 04-122-SPHA

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of December 2003, that the Petition for Special Hearing to approve the sewer infrastructure serving all lots within the Honeygo Run sub-area to pass through the Bird River sub-area, and to amend the previously approved site plans in prior Cases Nos. 02-376-A in Moores Meadows and 03-428-SPHA-HAS in Moores Meadows II, in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief, pursuant to Sections 259.8 and 4A02.4.G of the Baltimore County Zoning Regulations (B.C.Z.R.) (incorrectly referred to as "4A02.4.F" in Section 259.8), from Section 259.7.S of the B.C.Z.R. to permit all dwellings within the Bird River Sub-area to connect to the Honeygo Run sewer interceptor, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief, pursuant to Sections 259.9.G.3 and 504.2 of the B.C.Z.R., and Page 29 of Part III, Division VI, Section E of the Comprehensive Manual of Development Policies (C.M.D.P.), to allow mountable curbs in lieu of the required vertical curbs, be and is hereby GRANTED; and,

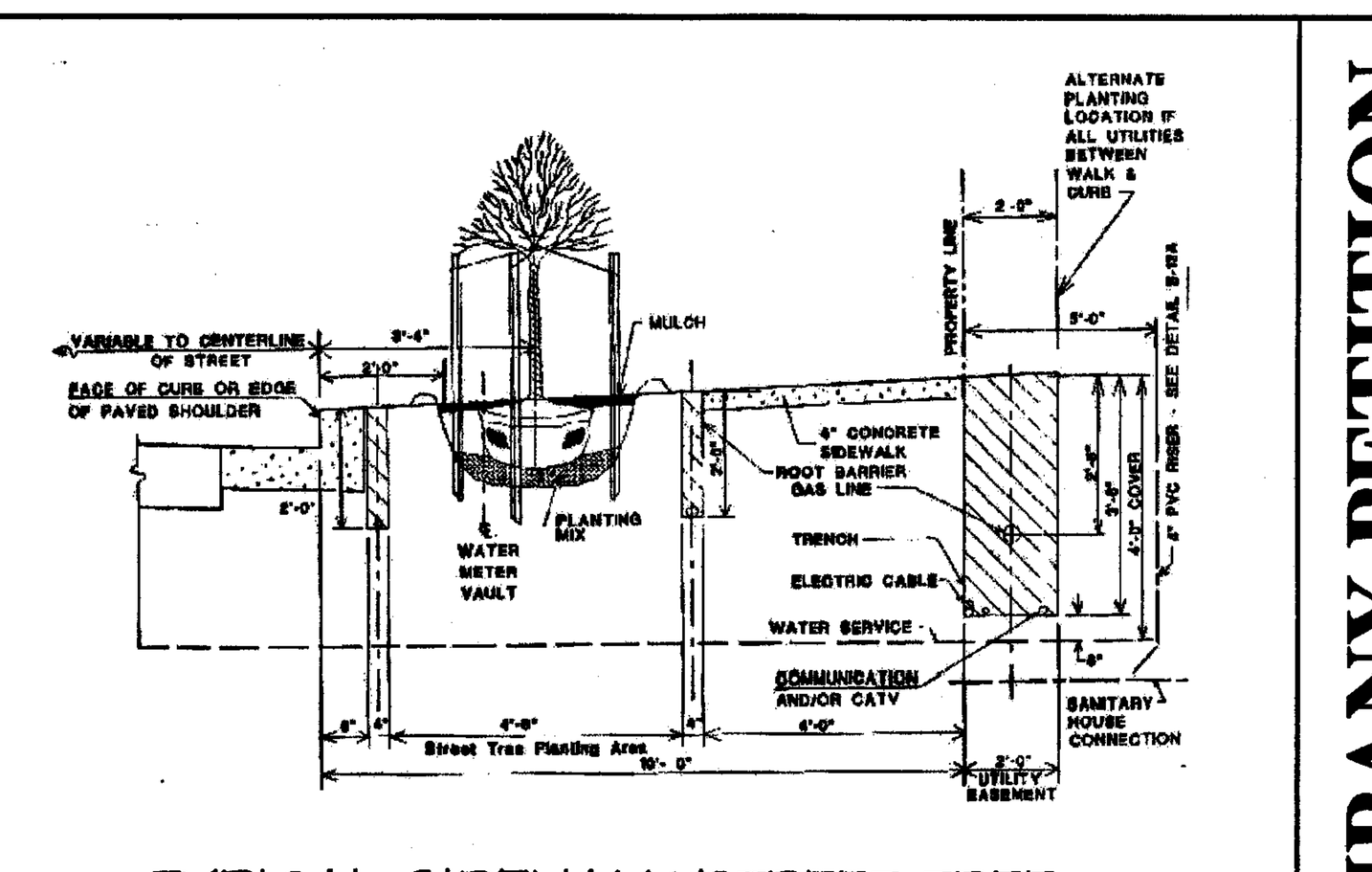
IT IS FURTHER ORDERED that the Petition for Variance seeking relief, pursuant to Sections 1B01.2.C.1.b and 504.2 of the B.C.Z.R., and Page 5 of Part III, Division VI, Section E of the C.M.D.P., to allow a side building setback to the tract boundary of 10 feet in lieu of the required 15 feet for Lots 17 and 18 of Moores Meadows III (Martin Addition), in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED, subject to the following restriction:

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.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 12/11/03
By [signature]

LES:bjs



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

Baltimore County Government
Department of Permits and
Development Management

111 West Chesapeake Avenue
Towson, MD 21204

410-887-3335

September 15, 2003

D. S. Thaler & Associates, Inc.
7115 Ambassador Road
Baltimore, MD 21244

RE: Moores Meadows I
PDM Number XI-728
DRC Number 082503H, Dist. 11C5

Dear Sir or Madam:

Pursuant to Article 25A, Section 5 (U) of the Annotated Code of Maryland, and as provided in Section 602 (d) of the Baltimore County Charter, and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal, or modification of a license, permit, approval, exemption, waiver, or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land-use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to ensure compliance with Section 26-171 and Section 26-211 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management (PDM).

The DRC has, in fact, met in an open meeting on August 25, 2003, and made the following recommendations:

The DRC has determined that your project meets the requirements of refinement to the development plan, under Section 26-211. It is necessary to submit a plan to the Department of Environmental Protection and Resource Management, the Office of Planning, PDM's Office of Zoning, Development Plans Review, and Recreation and Parks for further review. Please forward the plans, along with five copies of this DRC letter, to Room 123, County Office Building; 111 West Chesapeake Avenue; Towson, MD 21204.

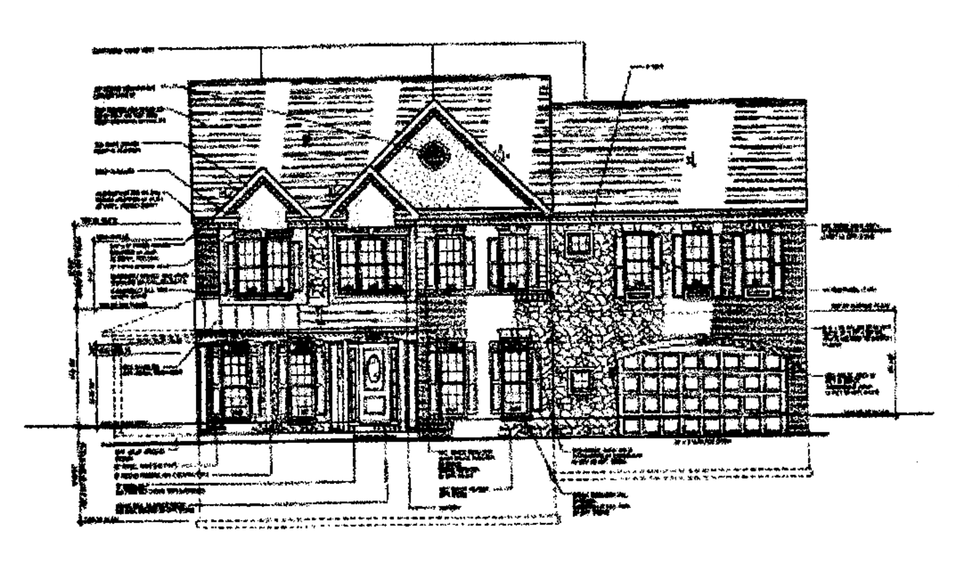
After resolution of any outstanding issues, please submit a copy of this letter, and ten copies of the plan to this office, Room 123, for signature.

I have reviewed the recommendations carefully, and I have determined to adopt the recommendations set forth above. It is this 15th day of September 2003, ordered and decided that the recommendations of the DRC are hereby adopted.

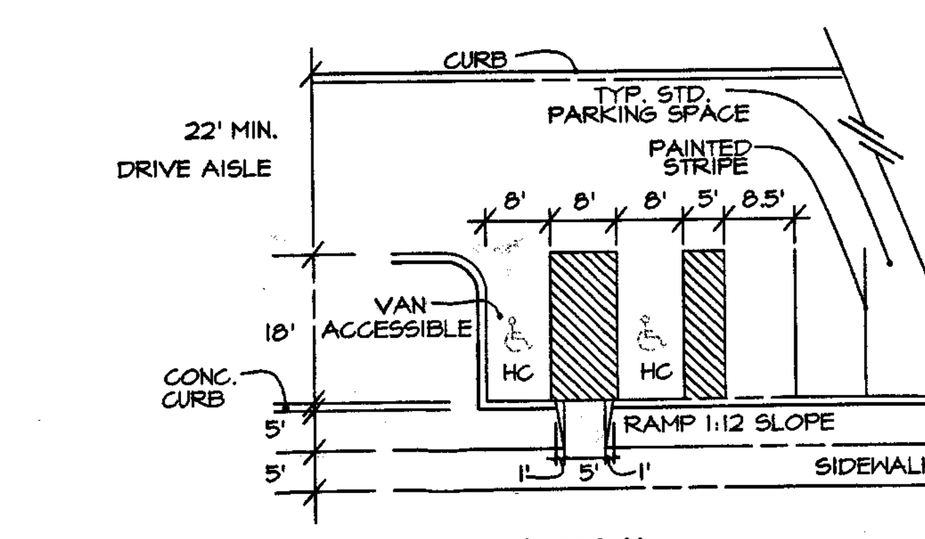
Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

Sincerely,

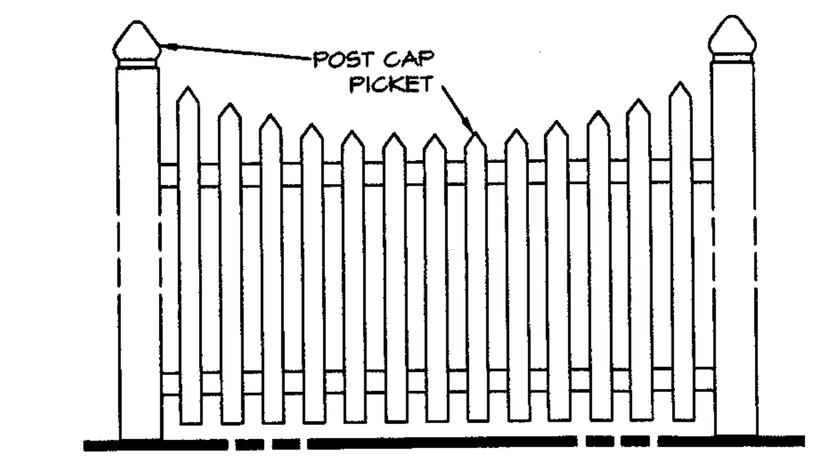
Timothy Kotroco
Director



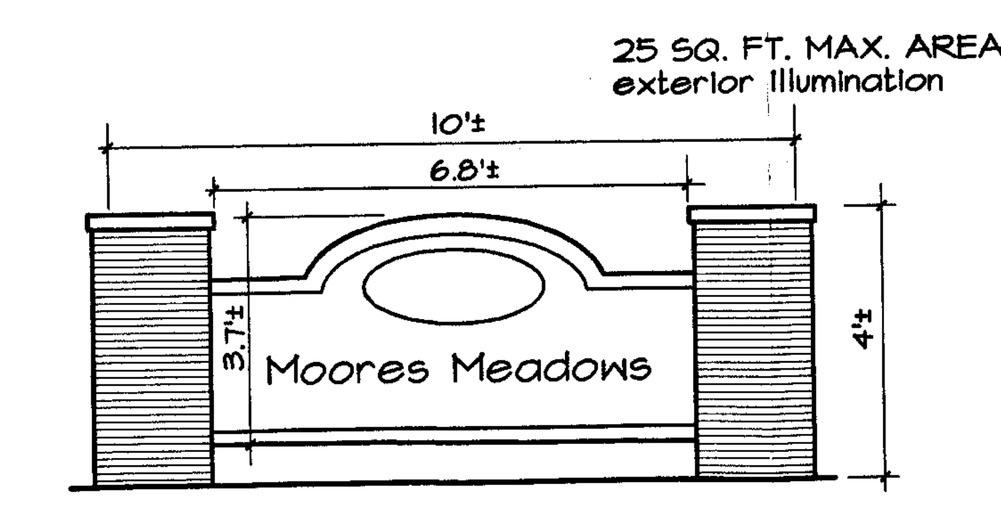
FRONT LOAD GARAGE
N.T.S.
(MUST COMPLY WITH SECTION 259.9.C.3a, C.3b, C.4 AND C.5 ; APPROVED MATERIALS ARE DEFINED AS BRICK AND STONE)



PARKING DETAIL
N.T.S.

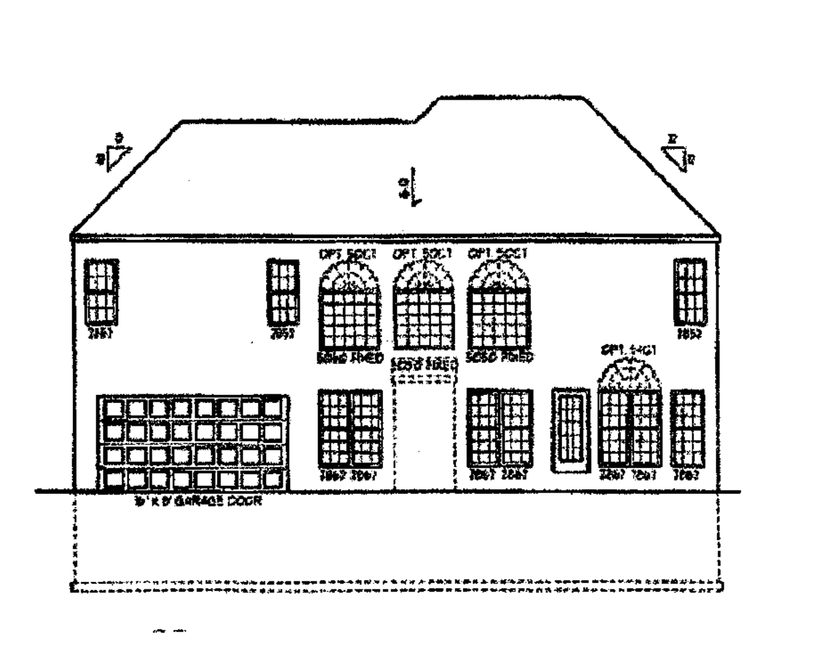


PICKET FENCE DETAIL

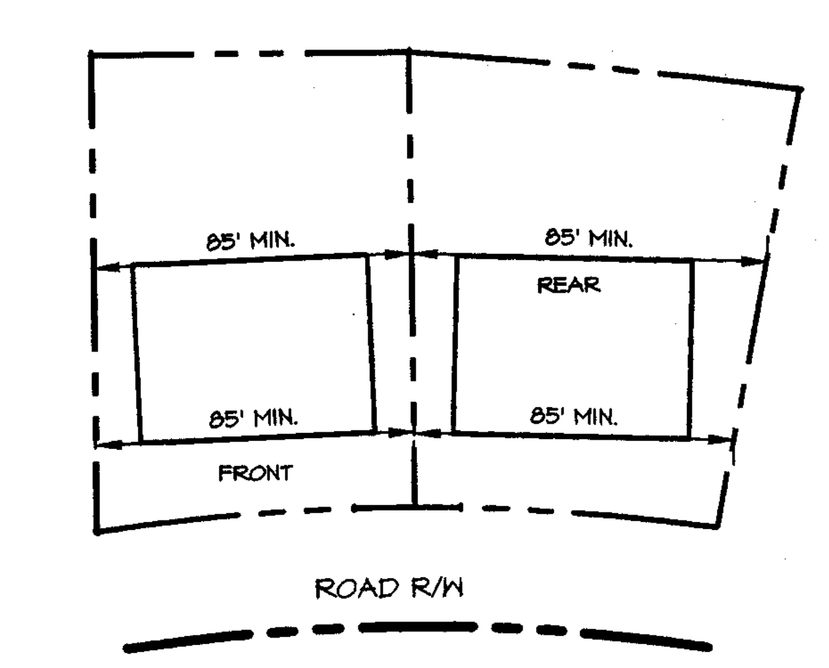


SCHEMATIC SIGN ELEVATION 'A'
N.T.S.

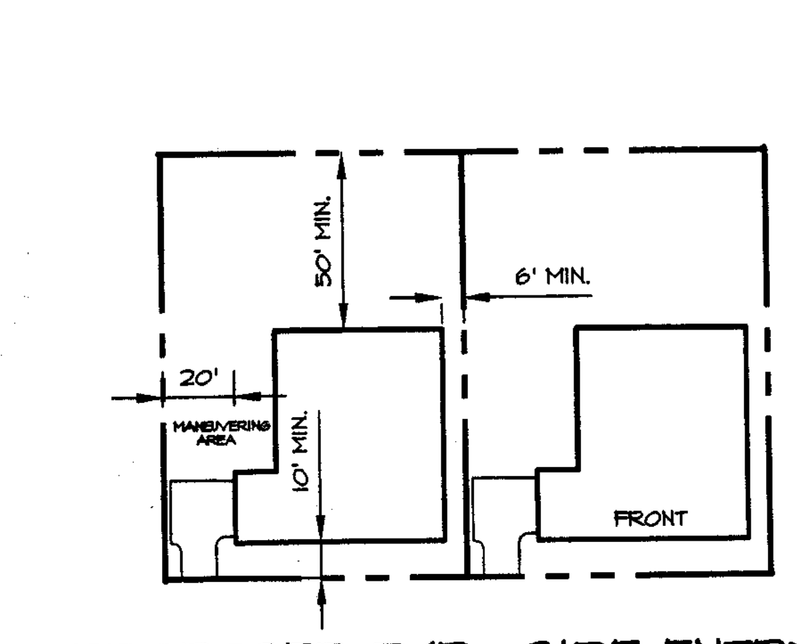
"THIS SITE IS IN THE HONEYGO OVERLAY DISTRICT 'H' AND IS WITHIN THE 'HONEYGO' AND 'BIRD RIVER' SUB-AREAS AND IS SUBJECT TO THE APPLICABLE HONEYGO AREA REGULATIONS, AS WELL AS OTHER BALTIMORE COUNTY ZONING REGULATIONS."



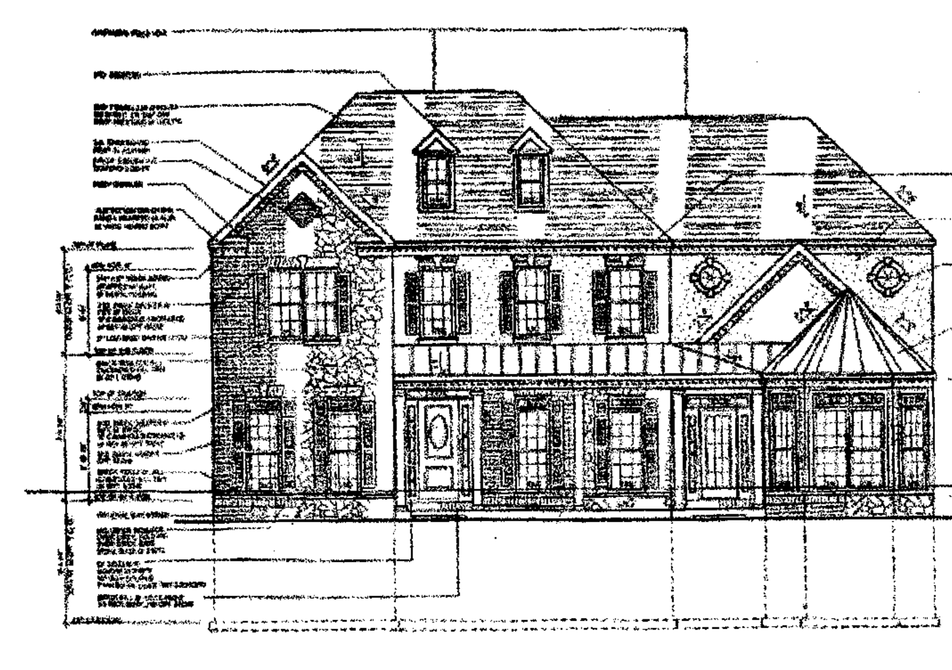
REAR ELEVATION WITH POSSIBLE GARAGE REAR ENTRY
N.T.S.
(MUST COMPLY WITH SECTION 259.9.C.5)



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

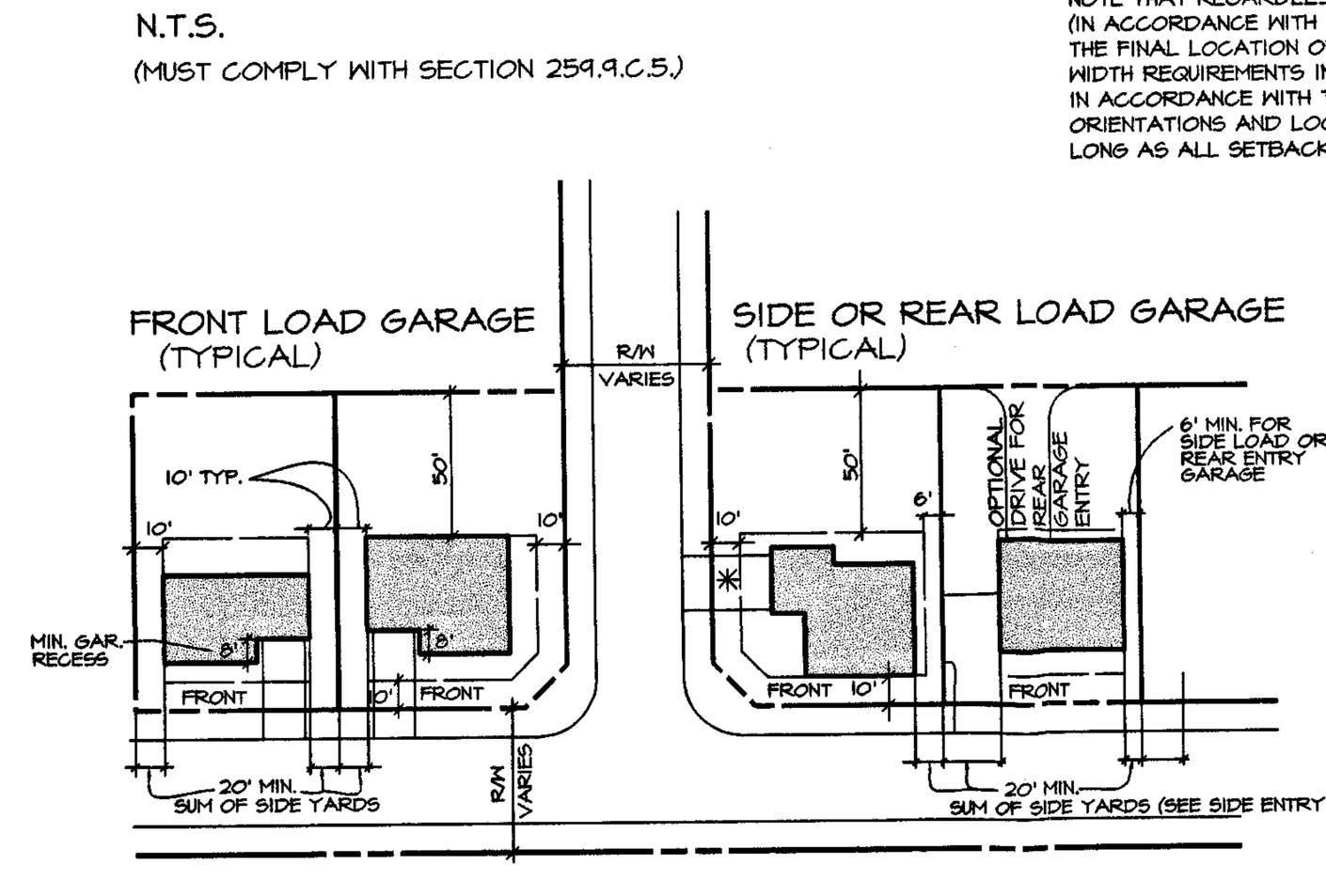


PROPOSED TYP. SIDE ENTRY GARAGE LOT LAYOUT DETAIL
N.T.S.

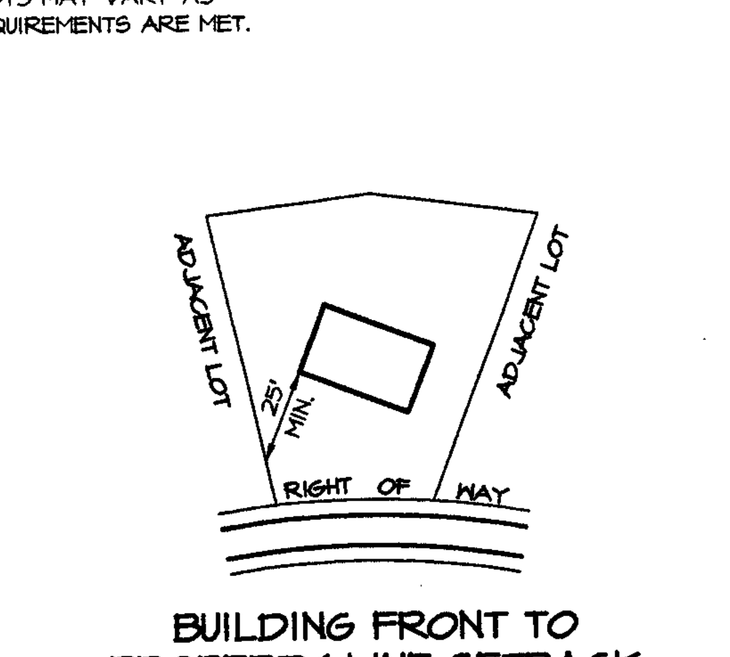


TYPICAL FRONT ELEVATION
N.T.S.
(MUST COMPLY WITH SECTION 259.9.C.4 AND C.5 ; APPROVED MATERIALS ARE DEFINED AS BRICK AND STONE)

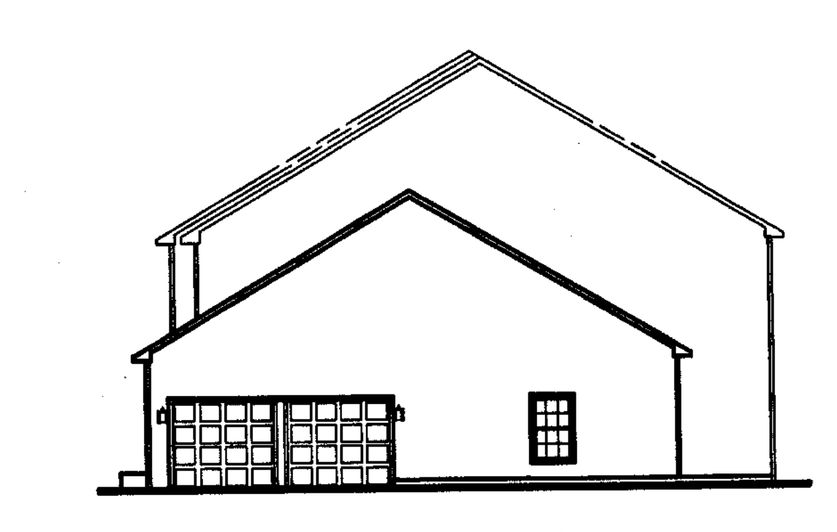
PETITION FOR SPECIAL HEARING:
1. To waive the building and site design standards for the existing dwellings, to permit two car garages facing the street to have a single garage door in lieu of the required two individual doors seperated by a divider to permit a single garage door, as required in the H and H1 Overlay Districts by BCZR Section 259.9.C.3.a.
2. To approve the amendment of an approved final development plan, pursuant to BCZR Section 1B01.3.A.7, for the "1st. Amended Final Development Plan for Moore's Meadows" approved 06/23/2004, such that the FDP will be consistent with the site plan that is the subject of this petition.



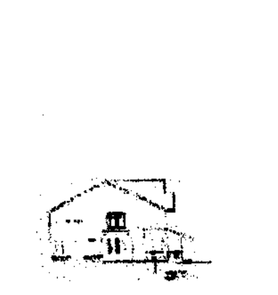
TYPICAL LOT LAYOUT N.T.S.
* Per Section 409 , 18' minimum is required for offstreet parking in front of a garage.



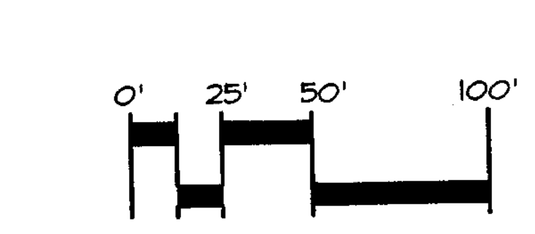
BUILDING FRONT TO PROPERTY LINE SETBACK
PER SECTION 1B01.2.C.1.b, A 25' FRONT SETBACK IS REQUIRED FROM A FRONT BUILDING FACE TO A PROPERTY LINE (OTHER THAN A STREET RIGHT-OF-WAY LINE).
N.T.S.



TYPICAL SIDE ELEVATION W/SIDE LOAD GARAGE
N.T.S.
(MUST COMPLY WITH SECTION 259.9.C.3, a & b)
(DIVIDER REQUIRED WHEN DOORS FACE THE STREET)



OTHER SIDE ELEVATION
N.T.S.
(MUST COMPLY WITH SECTION 259.9.C.5)



SCALE: 1"=50'

PROJECT NAME:
MOORE'S MEADOWS
PLAN TITLE:
PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING
COUNCILMANIC DIST.: 5
ELECTION DIST.: 11
PDM PROJ. NO.: XI-728

REVISIONS:

DEVELOPER:
US HOME CORPORATION d/b/a LENNAR
14 NEW PORT DRIVE, SUITE 101
FOREST HILL, MARYLAND 21050
ATTN. BILL COLLINS, DIRECTOR OF CONSTR.

COUNSEL:
STUART D. KAPLOW, P.A.
15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286
ATTN. STUART D. KAPLOW, ESQUIRE

PETITIONER'S
EXHIBIT NO. 1B

DST&A
D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS — LANDSCAPE ARCHITECTS — SURVEYORS — LAND PLANNERS
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244
(410) 444-ENGR, (410) 444-3647

STATE OF MARYLAND — DAVID ALLEN HAWK — PROFESSIONAL ENGINEER
1/3/07

DATE: JAN. 2007
SCALE: 1"=50'
SHEET 2 OF 2

MOORE'S MEADOWS

11th ELECTION DISTRICT — BALTIMORE COUNTY, MARYLAND

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING

Projects 3 on Dell server\R\Moores Meadows\Engr\Dwgs\Final\FDP\1ST AMENDED-FDP-SHT2