

IN RE: PETITIONS FOR DEVELOPMENT
PLAN HEARING and VARIANCE
N side of Forge Road, W side of
Hidden Valley Road
11th Election District
5th Councilmanic District
(TANNER PROPERTY)

Forge Valley, LLC
Developer/Petitioner

* BEFORE THE
* HEARING OFFICER
* FOR
* BALTIMORE COUNTY
* Case Nos. XI-989
and 2009-0136-A

* * * * *

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

This matter comes before this Deputy Zoning Commissioner/Hearing Officer for Baltimore County for a public hearing in order to consider a Development Plan proposal submitted in accordance with the development review and approval process contained in Article 32, Title 4, of the Baltimore County Code (B.C.C.), and to consider a related Petition for Variance filed pursuant to the Baltimore County Zoning Regulations. The owner and developer of the property, Forge Valley, LLC (the "Developer"), submitted for approval a Development Plan prepared by Merritt Development Consultants, Inc. known as the "Tanner Property" located on the north side of Forge Road, east of Belair Road and west of Hidden Valley Road, in the Perry Hall area of Baltimore County. The Developer is proposing the development of the subject property into 16 single-family detached dwelling units on approximately 16.812 acres land, more or less, zoned D.R.2H (7.4310± acres) and D.R.3.5H (9.3810± acres). The site is currently predominantly open field with a stream and associated wetlands and forest buffers traversing the western boundary of the site. Details of the plan are more fully depicted on the two page redlined Development Plan that was marked and accepted into evidence as Developer's Exhibits 1A and 1B.

The Developer is also making a related request for variance relief from Section 259.9.F.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed public cul-de-sac

~~SPRING 2009~~

4-20-09

roadway of 1,330 ± feet in length in lieu of the 400 feet allowed.

The property was posted with Notice of Hearing Officer's Hearing on December 30, 2008 for 20 working days prior to the hearing, in order to notify all interested citizens of the date and location of the hearing. In addition, notice of the zoning hearing was timely posted on the property on December 30, 2008 and was timely published in *The Jeffersonian* in accordance with the County Code.

As to the history of the project, a concept plan of the proposed development was prepared and a Concept Plan Conference (CPC) was held on April 28, 2008 at 9:00 AM in the County Office Building. As the name suggests, the concept plan is a schematic representation of the proposed development and is initially reviewed by and between representatives of the Developer and the reviewing County Agencies at the CPC. Thereafter, as is also required in the development review process, notice of a Community Input Meeting (CIM) is posted and scheduled during evening hours at a location near the proposed development to provide residents of the area an opportunity to review and comment firsthand on the plan. In this case, the CIM was held on June 30, 2008 at 7:00 PM at the Perry Hall Library Meeting Room located at 9440 Belair Road, where representatives of the Developer and the County attended, as well as a number of interested persons from the community. Subsequently, a development plan is prepared, based upon the comments received at the CPC and the CIM, and the development plan is submitted for further review at a Development Plan Conference (DPC), which, again, is held between the Developer's consultants and County agency representatives to further review and scrutinize the plan. The Development Plan Conference occurred on January 7, 2009 at 9:00 AM. Both the Hearing Officer's Hearing for this proposed development and the related zoning hearing were then held on January 30, 2009 in Room 104 of the Jefferson Building located at 105 West Chesapeake Avenue, Towson, Maryland. Section 32-4-230 of the B.C.C. allows the

Developer to proceed with the hearings on the proposed development and the zoning matters in one combined Hearing Officer's Hearing.

It should be noted at this juncture that the role of each reviewing County agency in the development review and approval process is to independently and thoroughly review the development plan as it pertains to their specific area of concern and expertise. These agencies provide comments to the plan and make determinations where necessary as to whether the plan complies with applicable Federal, State, and/or County laws and regulations pertaining to development and related issues. In addition, these agencies carry out this role throughout the entire development plan review and approval process.

Appearing at the requisite public hearing in support of the Development Plan approval and Variance requests was Timothy O'Shea, Managing Member with Forge Valley LLC, the legal property owner. Howard L. Alderman, Jr., Esquire appeared as legal counsel for the Developer, as did Charles Merritt with Merritt Development Consultants, Inc., the firm that was retained to prepare the Development Plan. The hearing was also attended by several nearby members of the community, including John and Mary Schap of 9821 Richlyn Drive and Leonard Butt of 4506 Forge Road and Lilymay Butt of 4512 Forge Road.

Also in attendance were representatives of the various Baltimore County reviewing agencies, including the following individuals from the Department of Permits and Development Management: Darryl Putty (Project Manager), Dennis Kennedy (Development Plans Review), Joseph Merrey (Zoning Review Office), and Brad Knatz (Bureau of Land Acquisition). Also appearing on behalf of the County were David Lykens from the Department of Environmental Protection and Resource Management (DEPRM); Jenifer Nugent from the Office of Planning; and Bruce Gill from the Department of Recreation & Parks. In addition, written comments were received from Lt. Roland Bosley, Jr. of the Baltimore County Fire Marshal's Office and Steven

D. Foster on behalf of the Maryland State Highway Administration. These and other agency remarks are contained within the case file.

Pursuant to B.C.C. Sections 32-4-227 and 32-4-228, which regulates the conduct of the Hearing Officer's Hearing, I am required first to identify any unresolved comments or issues as of the date of the hearing. Upon making inquiry to counsel for the Developer, Mr. Alderman, he indicated that there were issues in need of discussion with the Office of Planning and DEPRM, as well as several issues brought forth by members of the community on which he would elaborate. In particular, Mr. Alderman indicated that Mr. Butt and Ms. Butt own property on each side of the subject property where it fronts Forge Road. They inquired as to whether there would be any widening of Forge Road in front of their properties. Mr. Alderman indicated that there are no plans on the part of the Developer to widen the road in front of those properties, and that the County could do so in the future only if there was an existing easement or right-of-way, or if the County acquired the property along the road frontage by way of condemnation. Mr. Butt also questioned why an existing 27 inch storm drain pipe running along his property, as well as a 6 inch connecting drain line was not reflected on this copy of the plan. Mr. Alderman then pointed out that the redlined Development Plan included those items.

Mr. Alderman then discussed the DEPRM issues and the issues concerning proposed Lot 5. As shown on the redlined Development Plan, Lot 5 is situated in an area that is also encumbered by a substantial right-of-way easement belonging to the United States of America. The easement goes through the proposed building envelope for Lot 5. Mr. Alderman explained that in this case, the Developer has requested a forest buffer variance so the proposed home can be situated further back, out of the right-of-way. On the other hand, the Office of Planning has indicated it is unable to give its approval of the plan, having determined that the presence of the right-of-way prevents compliance with the Residential Performance Standards set forth in

Section 260 of the B.C.Z.R. Mr. Alderman also noted that the Developer's forest conservation and storm water management proposal is still pending with Glenn Shaffer at DEPRM.

Finally, Mr. Alderman indicated that the aforementioned issues with Lot 5 can be addressed with a redline detail that was made to the plan at the outset of the hearing. He referred to the "Special Note Applicable to Lot 5 Only" that was affixed to the plan. It states as follows:

Lot 5 as shown herein shall remain un-buildable until such time as the United States of America right-of-way running through it is extinguished and a building permit is issued for a dwelling located thereon meeting applicable front averaging setbacks and applicable Residential Performance Standards of Baltimore County.

In the event the right-of-way is discontinued or extinguished, the proposed dwelling on Lot 5 can then be moved forward to meet the front averaging requirements, and the requested forest buffer variance will no longer be necessary.¹ In addition, the absence of the right-of-way should also alleviate any objections to this lot by the Planning Office.

I then inquired as to the particular County agencies and asked that they state whether there were any outstanding issues applicable to their particular agency. Their responses are summarized below:

Recreation and Parks: Bruce Gill appeared on behalf of the Department of Recreation and Parks and indicated that as originally submitted, the required local open space for the 16 units is 16,000 square feet or $0.37 \pm$ acres, with 10,400 square feet active and 5,600 square feet passive. Mr. Gill then indicated that his office received a request from the Developer for a waiver of Local Open Space. Pursuant to a letter dated January 5, 2009 from the Department of Recreation and Parks to the Developer's consultant, Mr. Merritt, the request for waiver was granted and a fee in lieu of \$85,420.80 must be paid to Baltimore County prior to recordation of the record plat. A copy of the letter was marked and accepted into evidence as Baltimore County

¹ Mr. Alderman indicated on behalf of the Developer that given the redlined "Special Note Applicable to Lot 5 Only," and its potential ramifications, the Developer will withdraw its forest buffer variance with DEPRM.

Exhibit 2. Hence, his department recommended approval of the redlined Development Plan.

Development Plans Review (Public Works): Dennis Kennedy appeared on behalf of the Bureau of Development Plans Review. Mr. Kennedy confirmed that the Developer's redlined Development Plan meets all of his department's requirements and comments. Mr. Kennedy also did state, however, that this site is within a moratorium area for sewer services, which does not necessarily affect plan approval at this stage, but affects acquisition of building permits. He also indicated that the moratorium could be lifted in the event the Developer is willing to financially contribute to the reclamation of the sewer system in this area. Notwithstanding the moratorium, Mr. Kennedy indicated that his agency recommends approval of the redlined Development Plan.

Department of Environmental Protection and Resource Management (DEPRM): David Lykens appeared on behalf of DEPRM. Mr. Lykens indicated that there were several outstanding issues as of this date. He indicated that some changes have been made to the plan at DEPRM's request and other submittals were still under review. In particular, the storm water management plan was submitted but has not yet been reviewed and approved by the Environmental Impact section. He also indicated the requested forest buffer variance for Lot 5 has not yet been reviewed or evaluated, but was encouraged by the Developer's decision to withdraw that variance in light of the "Special Note Applicable to Lot 5 Only" that was affixed to the plan, which should preclude the need for a forest buffer variance. At this juncture, Mr. Lykens indicated his department would not oppose keeping the record of this case open for a period of time for potential resolution of the DEPRM issues.

Office of Zoning Review: Joseph Merrey appeared on behalf of the Zoning Review Office. Mr. Merrey indicated that all of his office's comments had been addressed and that the only outstanding issue was the Developer's request for variance. In the event the requested variance pertaining to the length of the proposed cul-de-sac is granted, Mr. Merrey indicated his

Office would recommend approval of the redlined Development Plan.

Land Acquisition: Brad Knatz appeared on behalf of the Bureau of Land Acquisition. Mr. Knatz indicated that the all issues had been satisfied from his agency's perspective, and recommended approval of the redlined Development Plan, subject to the Developer's submission of appropriate documents from the Right-of-Way Manual, including the following: Document A – Drainage and Utility Easement, Document K – Forest Buffer Plat, Document O – Fee Simple Deed LOS Flood SWM, Document R – Fee Simple Deed Plat, and Document S – Reversible Slope Easement.

Planning Office: Jenifer Nugent appeared on behalf of the Office of Planning. Ms. Nugent indicated that initially, she was prepared to testify that the current right-of-way being held by the United States of America that would run through the building envelope of Lot 5 precluded her agency's approval of Lot 5 as complying with the Residential Performance Standards, and therefore, her agency could not recommend approval of the Development Plan. However, upon being given a copy of the proposed redline note for Lot 5 entitled "Special Note Applicable to Lot 5 Only," indicating that Lot 5 could not be built on until such time as the right-of-way was extinguished and a building permit issued for a dwelling on that lot, Ms. Nugent indicated that this issue would no longer preclude plan approval. She also commented that if the right-of-way were ever extinguished, a proposed dwelling could actually be moved closer to the road and be more consistent with the averaging for the front yard setback of the proposed homes. Mr. Alderman, the Developer's attorney, also commented that this is why it would no longer be necessary for the Developer to request the forest buffer variance from DEPRM.

As to the pattern book, Ms. Nugent indicated the Developer's submission was acceptable, except that Lot 5's compliance with the Residential Performance Standards of Section 260 of the B.C.Z.R. would need to be evaluated by her Office in the future if or when the aforementioned

right-of-way is extinguished and the Developer seeks a building permit for that lot. Ms. Nugent also indicated the School Impact Analysis showed the projected enrollment for the elementary and middle schools was below the percentage of State Rated Capacity (SRC) threshold of 115%, but that the high school was at 116%; however, Ms. Nugent pointed out that there was sufficient capacity at adjacent high schools in the district, indicating compliance with the state's adequate public facilities law. A copy of the School Impact Analysis was marked and accepted into evidence as Baltimore County Exhibit 1A. A copy of a memo explaining the spare capacity at adjacent high schools was marked and accepted into evidence as Baltimore County Exhibit 1B.

Moving now to the more formal portion of the hearing, Mr. Alderman proffered the testimony of Charles Merritt in presenting the redlined Development Plan. Mr. Merritt is a land use expert with Merritt Development Consultants, Inc. He is familiar with the Baltimore County Zoning Regulations and the development regulations contained within the County Code, as well as the Zoning Commissioner's Policy Manual. Mr. Merritt was offered and accepted as an expert in the areas of planning, zoning, land use, development, and the necessary zoning and land use requirements in Baltimore County.

He was involved in the evaluation of the subject site and assisted in the preparation of the Development Plan from the concept plan stage through the development review process, as well as the related request for zoning relief. Mr. Merritt's associate, Geoffrey A. Tizard, prepared and sealed the redlined Development Plan that was marked and accepted into evidence as Developer's Exhibits 1A and 1B. As shown on the plan, the subject property is an irregular-shaped property and consists of approximately 16.812 acres land, more or less, zoned D.R.2H (7.4310± acres) and D.R.3.5H (9.3810± acres). The "H" designation represents the Honeygo District Overlay as set forth in Section 259 of the B.C.Z.R. This section provides standards for this overlay that are in addition to, modifications of, and exceptions from the standards required

by the underlying zoning classification in the area.

The Developer proposes subdividing the property into 16 lots with single-family homes. Access to the property would be from Forge Road via a proposed cul-de-sac to be known as Forge Valley Court, located almost directly opposite of the existing Forge Crossing Court to the south. The lots would have access to public water and sewer services. Adjacent to the subject property to the west is a development within Richlyn Drive, Carlyn Road, and Medolin Road. In particular, Carlyn Road runs perpendicular to the subject property and appears to terminate at or near the property line. At one time earlier in the concept plan process, consideration was given to possibly connecting proposed Forge Valley Court with Carlyn Road, making Carlyn Road a through street to Forge Road; however, at the CIM, the community expressed that they did not desire to have the roads connected. Moreover, it was determined that extending the road would encroach into some environmental features, including forest buffers, and would necessitate a stream crossing. As such, this idea was not pursued as a potential option.

As a result, the Developer instead lengthened the proposed cul-de-sac to approximately 1,330 feet. Because of the lengthening of the cul-de-sac, the Developer has also requested variance relief from Section 259.9.F.4 of the B.C.Z.R. As indicated above, this section applies to the Honeygo District and states that a cul-de-sac or court shall not exceed 400 feet unless, as determined by the Director of Environmental Protection and Resource Management, a longer length is needed to prevent encroachment on protected areas. During the hearing, Mr. Alderman elicited testimony from Mr. Lykens with DEPRM concerning the potential environmental impacts of connecting the proposed development to Carlyn Road. Mr. Lykens confirmed that the impacts would be lessened by allowing the cul-de-sac of 1,330 feet in length versus connecting with Carlyn Road. In addition, the zoning file contains a letter dated January 16, 2009 from the Perry Hall Improvement Association, Inc. (PHIA). In the letter, David Marks, President of

PHIA, and Debra Beaty, Vice President, indicate that residents of the nearby neighborhoods to the east expressed concerns about the potential loss of mature trees should the development be linked through Carlyn Road. To the extent the variance avoids the destruction of these trees, as well as access from Carlyn Road, the PHIA would not oppose the variance request.

Mr. Alderman then proffered that if called to testify, Mr. Merritt would state that, but for the outstanding DEPRM issues, the redlined Development Plan consisting of Page 1 and Page 2 has been presented to County agency representatives and has addressed all of those agencies' comments and resolved any and all outstanding issues. In his opinion, based on his professional knowledge and experience and notwithstanding the aforementioned DEPRM issues, the redlined Development Plan consisting of Page 1 and Page 2 that was marked and accepted into evidence as Developer's Exhibits 1A and 1B, respectively, fully complies with the development regulations, rules and policies contained in the Baltimore County Zoning Regulations (B.C.Z.R.) and the Baltimore County Code (B.C.C.).

On April 9, 2009, the undersigned received an Inter-Office Correspondence from David Lykens, Development Coordinator with DEPRM, concerning his Department's review of the environmental information associated with the proposed development. Page 1 of the redlined Development Plan was altered slightly to reflect Environmental Impact Review Section changes to the area of the forest buffer easement (which are seen on the revised redlined Development Plan as highlighted in yellow), but is otherwise unchanged from the plan that was presented at the hearing. Mr. Lykens also indicates that DEPRM can now recommend approval of Page 1 of the revised redlined Development Plan, which shall be marked and accepted into evidence as Developer's Exhibit 1C.

As to the request for variance relief, I am inclined to grant this request to extend the proposed cul-de-sac to approximately 1,330 feet in lieu of the maximum allowed 400 feet. In my

view, the variance relief is driven by the nearby community's desire, and the practical necessity of a cul-de-sac versus linking the development by way of a connection to adjacent Carlyn Road. It is clear that extending the length of the cul-de-sac will lessen the environmental impacts of the development by requiring less encroachment into environmentally sensitive areas. This was confirmed by Mr. Lykens with DEPRM. I also note that the existing environmental impacts and features of the property limit the development potential and density use to approximately 34% of what would otherwise be permitted in the Zone.

As to the request for development plan approval, Section 32-4-229 of the B.C.C. clearly provides that the "Hearing Officer shall grant approval of a development plan that complies with these development regulations and applicable policies, rules and regulations." After due consideration of the testimony and evidence presented and confirmation from the various County agencies that the development plan proposal satisfies those agencies' requirements, I find that Development Plan -- consisting collectively as Page 1 of the redlined Development Plan accepted into evidence as Developer's Exhibit 1A, Page 2 of the redlined Development Plan accepted into evidence as Developer's Exhibit 1B, and Page 1 of the revised redlined Development Plan accepted into evidence as Developer's Exhibit 1C -- is in compliance with the Baltimore County Code and all applicable policies, rules, and regulations.

Therefore, having identified no remaining unresolved or outstanding issues that would prevent development plan approval, the Developer has satisfied its burden of proof and, therefore, is entitled to approval of the Development Plan.

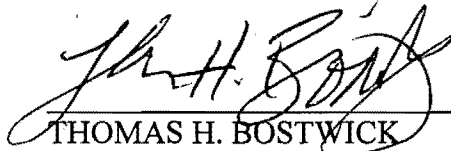
In conclusion, pursuant to the advertisement, posting of the property, and public hearing held thereon, the requirements of which are contained in Article 32, Title 4, of the Baltimore County Code, and after considering the testimony and evidence offered at the hearing, the variance request shall be granted and the Development Plan shall be approved.

THEREFORE, IT IS ORDERED by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, this 21st day of April, 2009 that the request for Variance from Section 259.9.F.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed public cul-de-sac roadway of 1,330± feet in length in lieu of the 400 feet allowed be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Development Plan consisting collectively as Page 1 of the redlined Development Plan accepted into evidence as Developer's Exhibit 1A, Page 2 of the redlined Development Plan accepted into evidence as Developer's Exhibit 1B, and Page 1 of the revised redlined Development Plan accepted into evidence as Developer's Exhibit 1C, for the property known as the "Tanner Property," be and is hereby APPROVED, subject to the following:

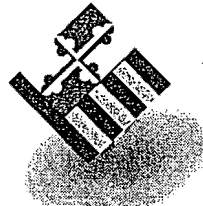
1. If in the future the United States of America right-of-way running through proposed Lot 5 becomes extinguished and the Developer seeks a building permit for Lot 5 consistent with the "Special Note Applicable to Lot 5 Only" shown on Developer's Exhibit 1A, the Office of Planning shall evaluate and make a determination as to Lot 5's compliance with the Residential Performance Standards of Section 260 of the B.C.Z.R. prior to the issuance of any building permit for Lot 5.

Any appeal of this decision must be taken in accordance with Section 32-4-281 of the Baltimore County Code.



THOMAS H. BOSTWICK
Deputy Zoning Commissioner/Hearing Officer
for Baltimore County

THB:pz



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

April 21, 2009

HOWARD ALDERMAN JR., ESQUIRE
LEVIN & GANN
502 WASHINGTON AVENUE, SUITE 800
TOWSON, MD 21204

RE: Development Plan Hearing
(Tanner Property)
Forge Valley, LLC - Developers
Case No. XI-989 and 2009-0136-A

Dear Mr. Alderman:

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

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "John H. Bostwick", written over the printed name.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

Enclosure

- c: Charles Merritt, Merritt Development Consultants Inc., 2416 East Joppa Road, Baltimore MD 21234
Timothy O'Shea, Managing Member, Forge Valley LLC, 10117 Egerton Farm Court, Baltimore MD 21234
David Marks, President, Perry Hall Improvement Association, PO Box 63, Perry Hall MD 21128-0063
John and Mary Schap, 9821 Richlyn Drive, Perry Hall MD 21128
Leonard Butt, 4506 Forge Road, Perry Hall MD 21128
Lilymay Butt, 4512 Forge Road, Perry Hall MD 21128



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at Forge Road – 3200' East of Belair Road
which is presently zoned DR 2H & DR 3.5H

Deed Reference: 22855 / 598 Tax Account # 1102086150

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

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

SEE ATTACHED

Property is to be posted and advertised as prescribed by the zoning regulations.

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

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

Contract Purchaser/Lessee:

NONE

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Howard L Alderman, Jr., Esq.

Name - Type or Print

Howard L Alderman, Jr.

Signature

Levin & Gann, PA, Nottingham Centre, 8th Floor

Company

502 Washington Avenue 410-321-0600

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

FORGE VALLEY, LLC

Name - Type or Print

By: *Tuffy S O'Shea*

Signature

Name - Type or Print

Signature

10117 Egerton Farm Court

410-977-1172

Address

Telephone No.

Baltimore

MD

21234

City

State

Zip Code

Representative to be Contacted:

Charles Merritt Merritt Development Consultants

Name

2418 E. Joppa Rd

410-663-5525

Address

Telephone No.

Baltimore

MD

21234

City

State

Zip Code

Case No. 2009-0136-A

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by D.T. Date 11/12/08

REV 8/20/07

4-20-09

pm

**ATTACHMENT
PETITION FOR VARIANCE**

CASE NO: 2009- -A

Legal Owner: Forge Valley, LLC

Addresses of Property: Forge Road, 3200' East of Belair Road

Tax Account No. of Property: 11-02-086150

Variance Relief Requested:

A Variance from [1] BCZR § 259.9F.4 to permit a proposed public, cul-de-sac roadway of 1330 ± feet in length in lieu of the 400 feet allowed; and [2] together with such additional relief as the nature of this case as presented at the time of the hearing on this Petition may require, within the spirit and intent of the BCZR to permit the proposed uses.

Justification:

- irregular shape and length of existing property;
- disproportionate impact of environmental features; and
- such further justification as will be presented at the time of the hearing on this Petition.

FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204

(410) 321-0600
Fax: (410) 296-2801

2009-0136-A

MERRITT DEVELOPMENT CONSULTANTS, INC

~~~~~Engineering~~~~~Land Planning~~~~~Surveying~~~~~

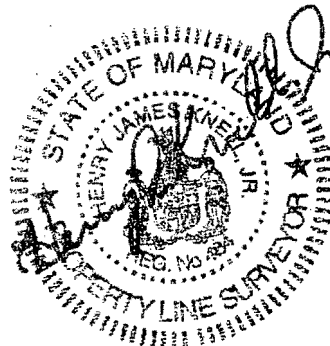
2418 E Joppa Road  
Baltimore, MD 21234  
Phone: 410-663-5525  
Fax: 410-663-4315  
merrittdc@comcast.net

## TANNER PROPERTY MAP 63 GRID 23 PARCEL 5 ZONING DESCRIPTION

Beginning at a point in the centerline of Forge Road (20' paving), 410 feet south east of the intersection of Forge Road and Richlyn Drive (50' right-of-way).  
Thence running 12 courses and distances:

1. N 24°-00'-12" E 287.10 feet
2. N 81°-22'-40" W 75.00 feet
3. N 81°-10'-46" W 50.65 feet
4. N 43°-02'-40" E 1705.94 feet
5. S 50°-44'-37" E 443.81 feet
6. S 43°-34'-23" W 1463.11 feet
7. N 45°-47'-02" W 137.29 feet
8. S 43°-44'-46" E 314.50 feet
9. S 08°-01'-51" W 66.38 feet
10. S 81°-22'-40" E 121.57 feet
11. S 43°-34'-23" W 18.47 feet, thence
12. N 81°-22'-40" W 277.62 feet

to the place of beginning as Recorded in Deed Liber 22855 folio 598.



2009-0136-A



**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF BUDGET AND FINANCE**  
**MISCELLANEOUS CASH RECEIPT**

No. **22890**

Date: **11/5/08**

**PAID RECEIPT**

BUSINESS ACTUAL TIME  
 11/14/2008 11/13/2008 14:12:36  
 REG NAME MARKIN DELL DND  
 RECEIPT # 459122 11/13/2008 OFLN

| Fund | Dept | Unit | Sub Unit | Obj  | Sub Obj | Dept Obj | BS Acct | Amount |
|------|------|------|----------|------|---------|----------|---------|--------|
| 2201 | 806  | 0000 |          | 6150 |         |          |         | 800    |
|      |      |      |          |      |         |          |         |        |
|      |      |      |          |      |         |          |         |        |
|      |      |      |          |      |         |          |         |        |
|      |      |      |          |      |         |          |         |        |
|      |      |      |          |      |         |          |         |        |
|      |      |      |          |      |         |          |         |        |

Total: **800.00**

Rec From: **FORGE VALLEY LLC**

For: **2009-0136-A**  
**TANNER PROP**  
**(FORGE RD. 3200 E OF DELAIR RD.)**

5 - 529 ANNUAL VERIFICATION  
 022890  
 Receipt Tot 1000.00  
 1000.00 CR 1.00 CR  
 Baltimore County, Maryland

**DISTRIBUTION**

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING  
**PLEASE PRESS HARD!!!!**

**CASHIER'S  
 VALIDATION**

**NOTICE OF ZONING  
HEARING**

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

**Case: #2009-0136-A**

Forge Road  
N/side of Forge Road, 3200  
feet east of Belair Road  
11th Election District

5th Councilmanic District  
Legal Owner(s): Forge Valley, LLC

**Variance:** to permit a proposed public cul-de-sac roadway of 1330 +/- feet in length in lieu of the 400 feet allowed, and together with such additional relief as the nature of this case as presented at the time of the hearing on this petition may require, within the spirit and intent of the BCZR to permit the proposed uses.

**Hearing: Friday, January 30, 2009 at 9:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake 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) 887-4386.

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

1/202 Jan. 15 192157

## CERTIFICATE OF PUBLICATION

1/15, 2009

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 1/15, 2009.

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

*S. Wilkinson*

LEGAL ADVERTISING



**MERRITT DEVELOPMENT CONSULTANTS INC.**

2418 EAST JOPPA ROAD, BALTIMORE MD, 21234

PHONE: 410-663-5525 FAX: 410-663-4315

MERRITDC@COMCAST.NET

**TRANSMITTAL FORM**

TO: ZONING

DATE: 1/20/09

PROJECT NAME: TANNER PROP.

OUR PROJECT NO.: \_\_\_\_\_

ATTN: KRISTEN

**WE ARE SUBMITTING THE FOLLOWING:**

FOR APPROVAL \_\_\_\_\_

FOR YOUR USE/FILE X

FOR REVIEW \_\_\_\_\_

QUANTITY

DESCRIPTION

|   |                  |
|---|------------------|
| 1 | VARIANCE POSTING |
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RECEIVED

JAN 22 2009

DEPT. OF PERMITS AND  
DEVELOPMENT MANAGEMENT

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SINCERELY,

*Chuck*

CHARLES MERRITT  
PRESIDENT

# CERTIFICATE OF POSTING

Date: 1/26/09

RE: Case Number: 2009-0136-A

Petitioner/Developer: FORGE VALLEY LLC

Date of Hearing/Closing: 1/30/09

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 N/SIDE FORGE ROAD, 3200' EAST OF BELAIR RD

The sign(s) were posted on 12/30/08  
(Month, Day, Year)

Charles E. Merritt  
(Signature of Sign Poster)

Charles E. Merritt  
9831 Magledd Road  
Baltimore, MD 21234  
410-665-5562

# ZONING NOTICE

CASE # 2009-0136-A

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

ROOM 104, JEFFERSON BLDG.  
PLACE: 105 W. CHESAPEAKE AVE.  
TOWSON MD. 21204

DATE AND TIME: FRIDAY, JANUARY 30,  
2009 AT 9:00 AM.

REQUEST: VARIANCE TO PERMIT A PROPOSED  
PUBLIC CUL-DE-SAC ROADWAY OF 1330'±  
IN LIEU OF THE 400 FEET ALLOWED, AND  
TOGETHER WITH SUCH ADDITIONAL RELIEF AS  
THE NATURE OF THIS CASE AS PRESENTED  
AT THE TIME OF THE HEARING ON THIS  
PETITION MAY REQUIRE, WITHIN THE  
SPIRIT AND INTENT OF THE BCZR  
TO PERMIT THE PROPOSED USES.

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

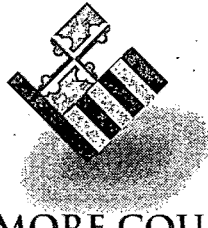
A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

PLACE: 105 W. CHESAPEAKE AVE. ROOM 104  
TOWSON, MD 21204  
DATE AND TIME: FRIDAY, JANUARY 30,  
2009 AT 9:00 AM.  
REQUEST: VARIANCE TO PERMIT A PROPOSED  
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PETITION MAY REQUIRE, WITHIN THE  
SPIRIT AND INTENT OF THE BCZR  
TO PERMIT THE PROPOSED USES.

## Hearing Officer's Hearing

|                          |                          |
|--------------------------|--------------------------|
| Notice of                | For                      |
| Requester                | Requester                |
| Subject                  | Subject                  |
| Address                  | Address                  |
| City                     | City                     |
| State                    | State                    |
| Zip                      | Zip                      |
| County                   | County                   |
| Assessor's Parcel Number | Assessor's Parcel Number |
| Case No.                 | Case No.                 |
| File No.                 | File No.                 |
| Map No.                  | Map No.                  |
| Block No.                | Block No.                |
| Lot No.                  | Lot No.                  |
| Section No.              | Section No.              |
| Tract No.                | Tract No.                |
| Block No.                | Block No.                |
| Lot No.                  | Lot No.                  |
| Section No.              | Section No.              |
| Tract No.                | Tract No.                |





**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
County Executive

December 5, 2008  
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: 2009-0136-A**

Forge Road

N/side of Forge Road, 3200 feet east of Belair Road

11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owners: Forge Valley, LLC

Variance to permit a proposed public cul-de-sac roadway of 1330 +/- feet in length in lieu of the 400 feet allowed, and together with such additional relief as the nature of this case as presented at the time of the hearing on this petition may require, within the spirit and intent of the BCZR to permit the proposed uses.

Hearing: Friday, January 30, 2009 at 9:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

  
Timothy Kotroco  
Director

TK:klm

C: Howard Alderman, Jr., Levin & Gann, 502 Washington Avenue, 8<sup>th</sup> Fl., Towson 21204  
Forge Valley, LLC, 10117 Egerton Farm Court, Baltimore 21234  
Charles Merritt, Merritt Development, 2418 E. Joppa Road, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JANUARY 15, 2009.**
- (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, January 15, 2009 Issue - Jeffersonian

Please forward billing to:  
Forge Valley, LLC  
10117 Egerton Farm Court  
Baltimore, MD 21234

410-977-1172

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## NOTICE OF ZONING HEARING

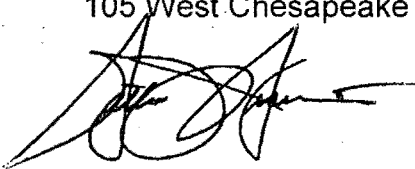
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Hearing: Friday, January 30, 2009 at 9:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



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.  
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**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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 2009-0136-A

Petitioner: FORGE VALLEY LLC

Address or Location: FORGE ROAD

PLEASE FORWARD ADVERTISING BILL TO:

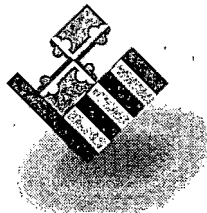
Name: FORGE VALLEY LLC

Address: 10117 EGERTON FARM COURT

BALTO MD 21234

Telephone Number: 410 668-1320





**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

TIMOTHY M. KOTROCO, *Director*  
*Department of Permits and*  
*Development Management*  
January 23, 2009

Howard L. Alderman  
502 Washington Ave.  
Towson, MD 21204

Dear: Howard L. Alderman

RE: Case Number 2009-0136-A, Forge Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 13, 2008. This letter is not an approval, but only a **NOTIFICATION**.

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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel  
Forge Valley, LLC; 10117 Egerton Farm Ct.; Baltimore, MD 21234  
Charles Merritt; 2418 E Joppa Rd.; Baltimore, MD 21234

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** November 28, 2008

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For December 1, 2008  
Item No.: 2009-134, 136, 139, 141,  
143, 144 and 145

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

DAK:CEN:cab  
cc: File

ZAC-12012008-NO COMMENTS



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

State Highway  
Administration

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

Maryland Department of Transportation

Date: DEC 4, 2008

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

RE: Baltimore County  
Item No 2009-0136-A  
FORGE RD  
FORGE VALLEY, LLC PROPERTY  
VARIANCE

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. 2009-0136-A.

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,

for Steven D. Foster, Chief  
Engineering Access Permits  
Division

SDF/MB

My telephone number/toll-free number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com



RE: PETITION FOR VARIANCE  
Forge Road; N/S Forge Road; 3,200' E  
of Belair Road  
11<sup>th</sup> Election & 5<sup>th</sup> Councilmanic Districts  
Legal Owner(s): Forge Valley, LLC  
Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* 09-136-A

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent 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  
Jefferson Building, Room 204  
105 West Chesapeake Avenue  
Towson, MD 21204  
(410) 887-2188

RECEIVED

DEC 09 2008

.....

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 9th day of December, 2008, a copy of the foregoing Entry of Appearance was mailed to Charles Merritt, Merritt Development Consultants, Inc, 2418 East Joppa Road, Baltimore, MD 21234 and Howard L. Alderman, Jr. Esquire, Levin & Gann, P.A., 502 Washington Avenue, 8th Floor, Towson, MD 21204, Attorney for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



IMPROVEMENT ASSOCIATION, INC.

P.O. Box 63, Perry Hall, Maryland 21128-0063 mail@perryhallmaryland.org  
www.perryhallmaryland.org

January 16, 2009

Mr. Daryl Putty, Baltimore County Department of Permits and Development  
Management  
111 West Chesapeake Avenue, Suite 105  
Towson, Maryland, 21204

Ms. Kristen Matthews, Baltimore County Department of Permits and Development  
Management  
111 West Chesapeake Avenue, Suite 105  
Towson, Maryland, 21204

Dear Mr. Putty and Ms. Matthews:

The Board of Directors for the Perry Hall Improvement Association (PHIA) has closely monitored issues relating to the development proposed by Forge Valley, LLC, and under consideration on Friday, January 30 ((Case Number #2009-0136-A and PDM #11-989).

At the Community Input Meeting for this project, one of the principal concerns was the impact of this development on neighborhoods to the east. Residents were specifically concerned about the loss of mature trees should the development be linked through Carlyn Road. To the extent that a variance avoids the destruction of these trees, as well as access from Carlyn Road, the PHIA would not oppose the variance request.

We hope that these comments may be considered at the upcoming hearings.

Sincerely:

David Marks  
President

Perry Hall Improvement Association

Debra Beaty  
PHIA Vice President and Chair,  
Planning and Zoning Committee

cc: Forge Valley, LLC  
Mr. Donnell Zeigler, Office of Planning

KRISTEN:

PLEASE SCHEDULE THIS HEARING  
WITH THE HOH FOR THE TANNER  
PROPERTY.

THANKS,

DONNA

2009-0136-A





welcome to  
**Baltimore County, Maryland**

Select Identify Theme

Zoning\*

Toggle Display Theme(s)

Create Map

Locate  
Address

Zoom In

Zoom Out

Previous  
View

Pan

Identify

Legend

Print

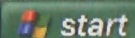
Help

Close



Identify

Done



Zoning - Mozilla Firefox

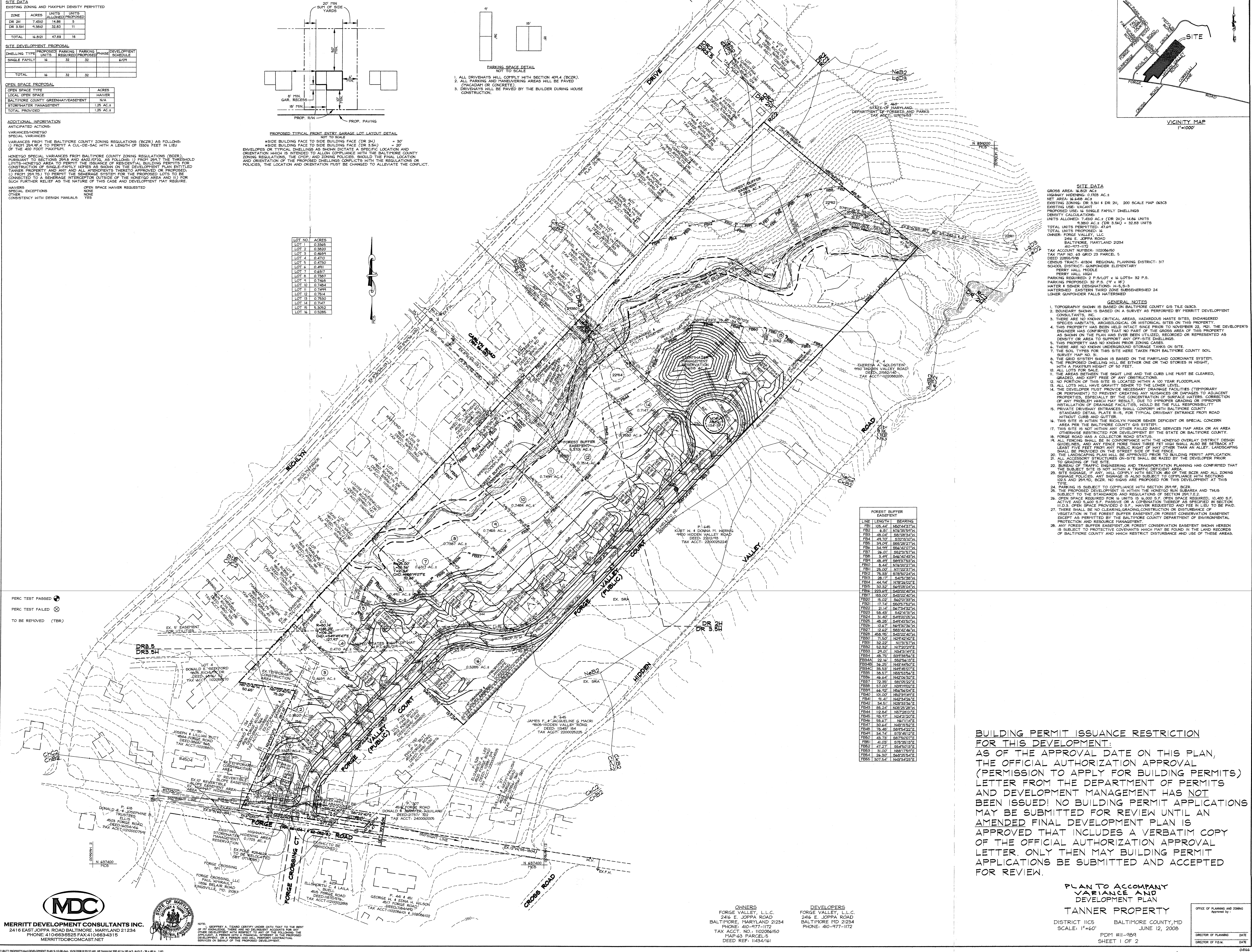
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10:26 AM

2009-0136-A





| SITE DEVELOPMENT PROPOSAL |        |               |                |
|---------------------------|--------|---------------|----------------|
| ZONE                      | ACRES  | UNITS ALLOWED | UNITS PROPOSED |
| DR 2H                     | 7.430  | 14.86         | 5              |
| DR 3.5H                   | 4.360  | 32.83         | 11             |
| TOTAL                     | 11.790 | 47.69         | 16             |

| OPEN SPACE PROPOSAL                |           |               |                |
|------------------------------------|-----------|---------------|----------------|
| OPEN SPACE TYPE                    | ACRES     | UNITS ALLOWED | UNITS PROPOSED |
| LOCAL OPEN SPACE                   | 0.100     | 0.00          | 0              |
| BALTIMORE COUNTY GREENWAY/EASEMENT | N/A       | 0.00          | 0              |
| STORMWATER MANAGEMENT              | 1.26 AC.± | 0.00          | 0              |
| TOTAL PROVIDED                     | 1.26 AC.± | 0.00          | 0              |

ADDITIONAL INFORMATION  
ANTICIPATED ACTIONS:  
VARIANCES/MONEYGO SPECIAL VARIANCES:  
VARIANCES FROM THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR) AS FOLLOWS:  
1) FROM 25' TO 30' TO PERMIT A CUL-DE-SAC WITH A LENGTH OF 150+ FEET IN LIEU OF THE 400 FOOT MAXIMUM.  
MONEYGO SPECIAL VARIANCES FROM BALTIMORE COUNTY ZONING REGULATIONS (BCZR) PURSUANT TO SECTIONS 25A.5 AND 25A.6 OF THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR) AS FOLLOWS:  
1) FROM 25' TO 30' TO PERMIT A CUL-DE-SAC WITH A LENGTH OF 150+ FEET IN LIEU OF THE 400 FOOT MAXIMUM.  
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54) FROM 25' TO 30' TO PERMIT A CUL-DE-SAC WITH A LENGTH OF 150+ FEET IN LIEU OF THE 400 FOOT MAXIMUM.  
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99) FROM 25' TO 30' TO PERMIT A CUL-DE-SAC WITH A LENGTH OF 150+ FEET IN LIEU OF THE 400 FOOT MAXIMUM.  
100) FROM 25' TO 30' TO PERMIT A CUL-DE-SAC WITH A LENGTH OF 150+ FEET IN LIEU OF THE 400 FOOT MAXIMUM.

| LOT NO. | ACRES  |
|---------|--------|
| LOT 1   | 0.3365 |
| LOT 2   | 0.3365 |
| LOT 3   | 0.469  |
| LOT 4   | 0.470  |
| LOT 5   | 0.470  |
| LOT 6   | 0.491  |
| LOT 7   | 0.491  |
| LOT 8   | 0.7387 |
| LOT 9   | 0.7468 |
| LOT 10  | 0.7468 |
| LOT 11  | 0.7499 |
| LOT 12  | 0.754  |
| LOT 13  | 0.753  |
| LOT 14  | 0.7147 |
| LOT 15  | 0.5265 |
| LOT 16  | 0.5265 |

PERC TEST PASSED (P)  
PERC TEST FAILED (F)  
TO BE REMOVED (TBR)

**MERRITT DEVELOPMENT CONSULTANTS INC.**  
2416 EAST JOPPA ROAD BALTIMORE, MARYLAND 21234  
PHONE: 410-663-8525 FAX: 410-663-4315  
MERRITTDCC@COMCAST.NET

NOTES:  
1. I, GEORGE A. TAYLOR, CERTIFY UNDER OATH THAT TO THE BEST OF MY KNOWLEDGE, THERE ARE NO DOCUMENTS, RECORDS OR INSTRUMENTS OF RECORD, OR OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR ANY OTHER PERSON OR ENTITY, WHOSE INTERESTS ARE AFFECTED BY THE PROPOSED DEVELOPMENT.

**OWNERS**  
FORGE VALLEY, L.L.C.  
2416 E. JOPPA ROAD  
BALTIMORE, MARYLAND 21234  
PHONE: 410-477-1172  
TAX ACCT. NO. 1102064150  
MAP-63 PARCEL-5  
DEED REF. 11434/161

**DEVELOPERS**  
FORGE VALLEY, L.L.C.  
2416 E. JOPPA ROAD  
BALTIMORE, MARYLAND 21234  
PHONE: 410-477-1172

**PLAN TO ACCOMPANY VARIANCE AND DEVELOPMENT PLAN**  
**TANNER PROPERTY**

DISTRICT 11C5 BALTIMORE COUNTY, MD  
SCALE: 1"=60' JUNE 12, 2008  
PDM #11-089  
SHEET 1 OF 2

OFFICE OF PLANNING AND ZONING  
Approved by: \_\_\_\_\_  
DIRECTOR OF PLANNING DATE  
DIRECTOR OF P.D.M. DATE

**BUILDING PERMIT ISSUANCE RESTRICTION FOR THIS DEVELOPMENT:**  
AS OF THE APPROVAL DATE ON THIS PLAN, THE OFFICIAL AUTHORIZATION APPROVAL (PERMISSION TO APPLY FOR BUILDING PERMITS) LETTER FROM THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT HAS NOT BEEN ISSUED! NO BUILDING PERMIT APPLICATIONS MAY BE SUBMITTED FOR REVIEW UNTIL AN AMENDED FINAL DEVELOPMENT PLAN IS APPROVED THAT INCLUDES A VERBATIM COPY OF THE OFFICIAL AUTHORIZATION APPROVAL LETTER. ONLY THEN MAY BUILDING PERMIT APPLICATIONS BE SUBMITTED AND ACCEPTED FOR REVIEW.

**SITE DATA**  
GROSS AREA: 16.82 AC.  
HIGHWAY WIDENING: 0.1703 AC.±  
EXISTING ZONING: DR 3.5H & DR 2H, 200 SCALE MAP 06303  
EXISTING USE: VACANT  
PROPOSED USE: 16 SINGLE FAMILY DWELLINGS  
DENSITY CALCULATIONS:  
UNITS ALLOWED 7,430 AC.± (DR 2H) = 14.86 UNITS  
4,360 AC.± (DR 3.5H) = 32.83 UNITS  
TOTAL UNITS PERMITTED: 47.69  
TOTAL UNITS PROPOSED: 16  
OWNER: FORGE VALLEY, LLC  
2416 E. JOPPA ROAD  
BALTIMORE, MARYLAND 21234  
410-477-1172  
TAX ACCOUNT NUMBER: 1102064150  
TAX MAP NO. 63 GRID 73 PARCEL 5  
DEED 22855/949  
GENUS TRACT 41304 REGIONAL PLANNING DISTRICT: 317  
SCHOOL DISTRICT: GUNPOUNDER ELEMENTARY  
PERRY HALL HIGH  
PARKING REQUIRED: 2 P.S./LOT x 16 LOTS= 32 P.S.  
PARKING PROPOSED: 32 P.S. (9' x 18')  
WATER & SEWER DESIGNATION: W-5, S-3  
WATERSHED: EASTERN THIRD ZONE SUBWATERSHED 24  
LOWER GUNPOUNDER FALLS WATERSHED

- GENERAL NOTES**
1. TOPOGRAPHY SHOWN IS BASED ON BALTIMORE COUNTY GIS FILE 06303.
  2. BOUNDARY SHOWN IS BASED ON A SURVEY AS PERFORMED BY HERRITT DEVELOPMENT CONSULTANTS, INC.
  3. THERE ARE NO KNOWN CRITICAL AREAS, HAZARDOUS WASTE SITES, ENDANGERED SPECIES HABITATS, ARCHEOLOGICAL OR HISTORICAL SITES ON THIS PROPERTY.
  4. THIS PROPERTY HAS BEEN HELD INTACT SINCE PRIOR TO NOVEMBER 22, 1920. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
  5. THIS PROPERTY HAS NO KNOWN PRIOR ZONING CASES.
  6. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS ON SITE.
  7. THE SOIL TYPES FOR THIS SITE WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 31.
  8. THE GRID SYSTEM SHOWN IS BASED ON THE HARTLAND COORDINATE SYSTEM.
  9. THE PROPOSED DWELLING WILL BE EITHER ONE OR TWO STORIES IN HEIGHT, WITH A MAXIMUM HEIGHT OF 50 FEET.
  10. ALL LOTS FOR SALE.
  11. THE AREAS BETWEEN THE SIGHT LINE AND THE CURB LINE MUST BE CLEARED, GRADED, AND KEPT FREE OF ANY OBSTRUCTIONS.
  12. NO PORTION OF THIS SITE IS LOCATED WITHIN A 100 YEAR FLOODPLAIN.
  13. ALL LOTS WILL HAVE GRAVITY SEWER TO THE LOWER LEVEL.
  14. THE DEVELOPER MUST PROVIDE NECESSARY DRAINAGE FACILITIES TEMPORARY OR PERMANENT TO PREVENT CREATING ANY NUISANCES OR DAMAGES TO ADJACENT PROPERTIES, ESPECIALLY BY THE CONCENTRATION OF SURFACE WATERS. CORRECTION OF ANY PROBLEM WHICH MAY RESULT, DUE TO IMPROPER GRADING OR IMPROPER INSTALLATION OF DRAINAGE FACILITIES, WOULD BE THE FULL RESPONSIBILITY OF THE DEVELOPER.
  15. PRIVATE DRIVEWAY ENTRANCES SHALL CONFORM WITH BALTIMORE COUNTY STANDARD DETAIL PLATE R-18, FOR TYPICAL DRIVEWAY ENTRANCE FROM ROAD WITHOUT CURB AND GUTTER.
  16. THIS SITE IS WITHIN THE RICHLYN MANOR SEWER DEFICIENT OR SPECIAL CONCERN AREA PER THE BALTIMORE COUNTY GIS SYSTEM.
  17. THIS SITE IS NOT WITHIN ANY OTHER FAILED BASIC SERVICES MAP AREA OR AN AREA OTHERWISE RESTRICTED FOR DEVELOPMENT BY THE STATE OR BALTIMORE COUNTY.
  18. FORGE ROAD HAS A COLLECTOR ROAD STATUS.
  19. 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.
  20. THE LANDSCAPING PLAN WILL BE APPROVED PRIOR TO BUILDING PERMIT APPLICATION.
  21. ALL ACCESSORY STRUCTURES ON-SITE SHALL BE RAZED BY THE DEVELOPER PRIOR TO GRADING OF THE SITE.
  22. BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
  23. SITE SIGNAGE, IF ANY, WILL CONFORM WITH SECTION 460 OF THE BCZR AND ALL ZONING SIGNAGE POLICIES. ANY SIGNAGE IS ALSO SUBJECT TO COMPLIANCE WITH SECTIONS 102.5 AND 204.01, BCZR. NO SIGNAGE IS PROPOSED FOR THIS DEVELOPMENT AT THIS TIME.
  24. PARKING IS SUBJECT TO COMPLIANCE WITH SECTION 254.09, BCZR.
  25. THE PROPOSED DEVELOPMENT IS WITHIN THE HONEYGO RUN SUBAREA AND THUS SUBJECT TO THE STANDARDS AND REGULATIONS OF SECTION 254.12.2.
  26. OPEN SPACE REQUIRED FOR 16 UNITS IS 16,000 S.F. OPEN SPACE REQUIRED, 10,400 S.F. ACTIVE AND 4,600 S.F. PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION 111.D.3. OPEN SPACE PROVIDED 0 S.F. HAWK REQUESTED AND FEE IN LIEU TO BE PAID. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
  28. ANY FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

| LINE  | LENGTH  | BEARING     |
|-------|---------|-------------|
| FB1   | 108.44' | N82°44'37"W |
| FB2   | 6.01'   | N74°29'30"W |
| FB3   | 49.04'  | S81°08'34"W |
| FB4   | 49.10'  | S70°31'01"W |
| FB5   | 34.09'  | S66°28'27"W |
| FB6   | 34.09'  | S66°42'07"W |
| FB7   | 26.01'  | S59°31'57"W |
| FB8   | 3.49'   | S48°49'43"W |
| FB9   | 49.49'  | S66°37'50"W |
| FB10  | 8.44'   | N76°50'27"W |
| FB11  | 28.00'  | N70°02'37"W |
| FB12  | 15.83'  | S76°50'24"W |
| FB13  | 28.17'  | S41°51'38"W |
| FB14  | 44.04'  | N78°28'02"E |
| FB15  | 30.32'  | S63°08'04"W |
| FB16  | 223.49' | S49°02'40"W |
| FB17  | 183.00' | S49°02'40"W |
| FB20  | 15.02'  | S60°01'33"W |
| FB21  | 17.14'  | S66°29'50"W |
| FB22  | 21.14'  | S67°34'32"W |
| FB23  | 58.49'  | S42°41'31"W |
| FB24  | 31.40'  | S49°02'05"W |
| FB25  | 49.29'  | S43°43'50"W |
| FB26  | 19.67'  | N43°39'36"W |
| FB27  | 12.62'  | S63°42'46"W |
| FB28  | 49.50'  | S43°02'40"W |
| FB29  | 17.52'  | N24°42'45"E |
| FB31  | 32.22'  | N11°51'57"W |
| FB32  | 12.52'  | N17°02'02"E |
| FB33  | 25.01'  | N34°31'46"E |
| FB34  | 49.75'  | S37°38'56"E |
| FB34A | 22.16'  | S39°38'18"E |
| FB34B | 36.25'  | N43°44'50"E |
| FB34C | 18.39'  | N46°40'07"E |
| FB35  | 38.57'  | S58°53'56"E |
| FB36  | 48.64'  | N42°06'30"E |
| FB37  | 12.85'  | S51°59'24"E |
| FB38  | 57.00'  | N34°10'02"E |
| FB39  | 44.92'  | N43°56'04"E |
| FB40  | 101.00' | S53°39'46"E |
| FB41  | 91.41'  | N42°34'26"E |
| FB42  | 34.51'  | N43°38'36"E |
| FB43  | 85.24'  | N68°25'28"W |
| FB44  | 12.84'  | N57°20'01"E |
| FB45  | 33.37'  | N42°41'20"E |
| FB46  | 58.67'  | N11°01'11"E |
| FB47  | 30.64'  | N45°15'52"E |
| FB48  | 79.49'  | S65°42'22"E |
| FB49  | 34.74'  | S78°42'42"E |
| FB50  | 43.73'  | S87°50'07"E |
| FB51  | 41.09'  | S75°31'16"E |
| FB52  | 41.67'  | S64°50'15"E |
| FB53  | 31.00'  | N68°17'59"E |
| FB54  | 26.32'  | S60°29'34"E |
| FB55  | 307.54' | N43°54'23"E |



NOTE:  
COMPLIANCE WITH THE FOLLOWING DEVELOPMENT STANDARDS MUST BE CERTIFIED ON BUILDING PERMIT APPLICATIONS AND PLANS

SECTION 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 (SEE SECTIONS 259.9.G.1 THROUGH 259.9.G.4 BELOW) OF THIS SECTION.

SECTION 259.9.A.4 [BILL NO. 73-1999]  
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.

SECTION 259.9.B.3 [BILL NOS. 40-1997; 73-1999]  
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.

SECTION 259.9.B.3 [BILL NOS. 40-1997; 73-1999]  
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.

SECTION 259.9.B.4 [BILL NOS. 40-1997; 73-1999]  
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;  
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.

SECTION 259.9.C.3 [BILL NO. 73-1999]  
A. EXCEPT FOR PROPERTIES WITH APPROVED DEVELOPMENT PLANS OR CRG PLANS (VESTED PRIOR TO SEPTEMBER 13, 1999 IN ACCORDANCE WITH SECTION 103.1), WHICH SHALL BE ALLOWED FRONT ENTRY GARAGES IN ACCORDANCE WITH THE REGULATIONS IN EFFECT PRIOR TO JANUARY 14, 1995 (SEE 1992 CMDP), 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.  
B. THE EXTERIOR SURFACE OF THE 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.

SECTION 259.9.C.4 [BILL NOS. 40-1997; 73-1999]  
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.

SECTION 259.9.C.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.

SECTION 259.9.C.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.

SECTION 259.9.C.7  
ROOFS SHALL BE PITCHED IN ACCORDANCE WITH THE HONEYGO OVERLAY DISTRICT DESIGN GUIDELINES.

SECTION 259.9.C.8  
STORMWATER MANAGEMENT POND SLOPES, WHERE MANAGEMENT IS NOT PROVIDED THROUGH A REGIONAL FACILITY, SHALL NOT EXCEED A RATIO OF 3:1.

SECTION 259.9.C.9  
ROOFTOP EQUIPMENT SHALL BE SCREENED SO IT IS NOT VISIBLE FROM THE GROUND LEVEL OF ADJACENT BUILDINGS.

SECTION 259.9.G.1  
THE PROVISIONS OF THIS SECTION (SECTION 259.9, BCZR) SHALL GOVERN IN ANY SITUATION WHERE THERE IS A CONFLICT BETWEEN THIS SECTION (SECTION 259.9, BCZR) AND OTHER REGULATIONS.

SECTION 259.9.G.2  
WHERE THE PROVISIONS OF THIS SECTION (SECTION 259.9, BCZR) ARE SILENT, THE PROVISIONS OF THESE REGULATIONS GOVERNING THE UNDERLYING ZONE SHALL APPLY.

SECTION 259.9.G.3 [BILL NO. 40-1997]  
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.

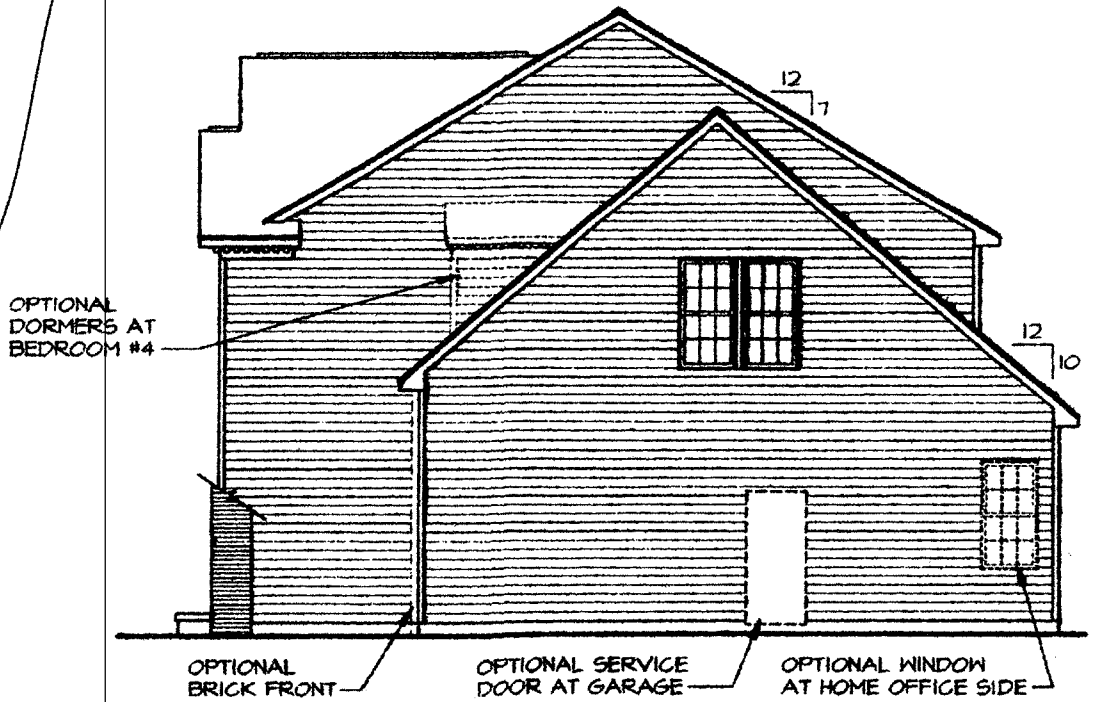
SECTION 259.9.G.4  
NOTWITHSTANDING THE PROVISIONS OF SECTION 26-216 OF THE BALTIMORE COUNTY CODE, 1988 EDITION, AS REVISED, THE PROVISIONS OF THIS SECTION (SECTION 259.9, BCZR) DO NOT APPLY TO ANY PROPERTY WITH AN UNEXPIRED CRG PLAN THAT WAS APPROVED PRIOR TO MAY 18, 1992.

EXTERIOR OF THE FRONT FACADE AND FRONT ENTRY GARAGE SHALL CONSIST OF AT LEAST 70% APPROVED MATERIAL (BRICK OR STONE).

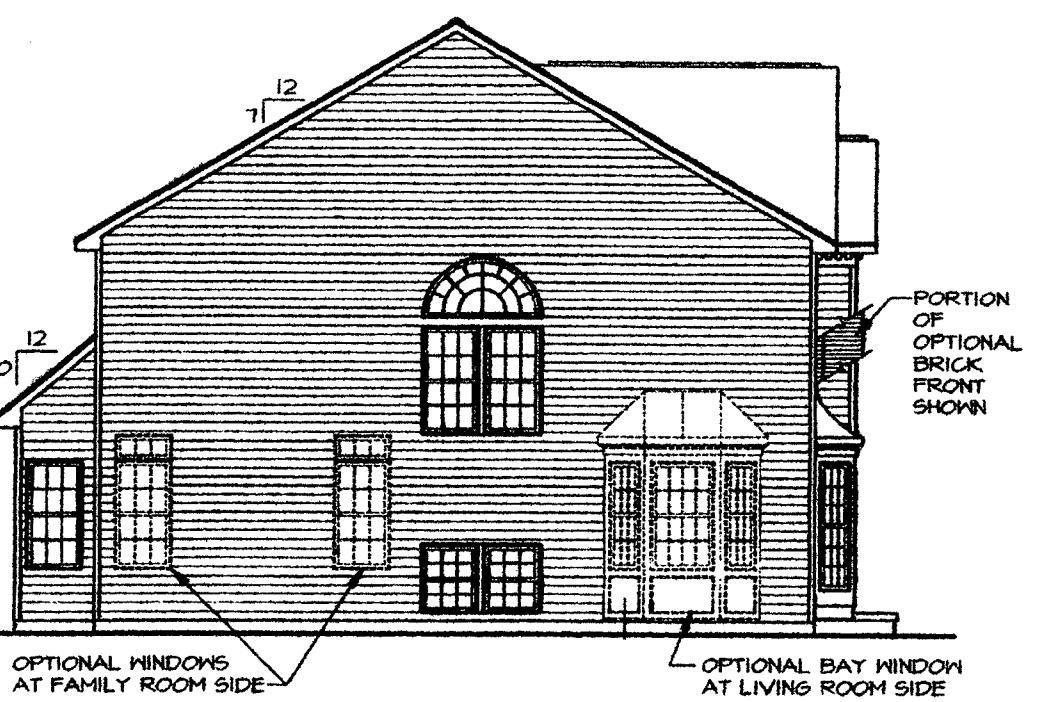


FRONT ELEVATION  
NOT TO SCALE

TWO INDIVIDUAL GARAGE DOORS SEPARATED BY A DIVIDER THAT SHALL BE CONSTRUCTED OF APPROVED MATERIALS (BRICK OR STONE).



RIGHT SIDE ELEVATION  
NOT TO SCALE



LEFT SIDE ELEVATION  
NOT TO SCALE

COMBINED HONEYGO OVERLAY DISTRICT-SINGLE FAMILY DETACHED DWELLING SETBACKS AND LOT WIDTHS CHART

| DESCRIPTION                                                                                                                                                                                                                                                                                                                                            | D.R. 1H & D.R. 2H ZONES<br>(IN FEET)                             | D.R. 3.5H, D.R. 5.5H, D.R. 10.5H & D.R. 16H ZONES<br>(IN FEET)                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|----------------------------------------------------------------------------------|
| FROM BUILDING FACE (FRONT, SIDE OR REAR) TO:<br>RIGHT-OF-WAY OF A COLLECTOR STREET, NEIGHBORHOOD STREET, ALLEY OR COURT<br>(NOT APPLIED TO PORCHES OR STOOPS IN FRONT YARD)                                                                                                                                                                            | 10'                                                              | 10'                                                                              |
| FROM BUILDING FACE (FRONT, SIDE OR REAR) TO:<br>RIGHT-OF-WAY OF A MAJOR OR MINOR ARTERIAL OR COLLECTOR ROAD<br>(NOT APPLIED TO PORCHES OR STOOPS IN FRONT YARD)                                                                                                                                                                                        | 40'                                                              | 40'                                                                              |
| FROM FRONT BUILDING FACE TO:<br>PROPERTY LINE (NOT A STREET LINE)                                                                                                                                                                                                                                                                                      | 25'                                                              | 25'                                                                              |
| FROM BUILDING FACE (FRONT, SIDE OR REAR) TO:<br>REAR PROPERTY LINE (NOT A STREET LINE)<br>(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'<br>(37.5' FOR UNROOFED ADDITIONS; 40' FOR ROOFED ADDITIONS)  | 50'<br>(37.5' FOR UNROOFED ADDITIONS; 40' FOR ROOFED ADDITIONS)                  |
| FROM BUILDING FACE (FRONT, SIDE OR REAR) TO:<br>SIDE YARD LOT LINE THAT IS NO ADJACENT TO A PUBLIC RIGHT-OF-WAY OR THE SAME AS A PUBLIC RIGHT OF WAY IF THE DWELLING UNIT IS DESIGNATED TO HAVE A SIDE OR REAR ENTRY GARAGE.                                                                                                                           | 8'<br>(SUM OF ALL SIDE YARD WIDTHS MAY NOT BE LESS THAN 20 FEET) | 8'<br>(SUM OF ALL SIDE YARD WIDTHS MAY NOT BE LESS THAN 20 FEET)                 |
| FRONT ENTRY GARAGE SHALL BE RECESSED BEHIND THE FRONT FACADE OF THE DWELLING<br>(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 MATERIALS AS THE FRONT FACADE OF THE BUILDING) | 8' MINIMUM                                                       | 8' MINIMUM                                                                       |
| FROM SIDE BUILDING FACE TO:<br>SIDE BUILDING FACE                                                                                                                                                                                                                                                                                                      | 30' SEPARATION                                                   | 16' SEPARATION (FOR BLDGS.<20' HEIGHT)<br>20' SEPARATION (FOR BLDGS.>20' HEIGHT) |
| FROM SIDE BUILDING FACE TO:<br>PAVING OF A PRIVATE ROAD                                                                                                                                                                                                                                                                                                | 30'                                                              | 25'                                                                              |
| FROM SIDE BUILDING FACE TO:<br>TRACT BOUNDARY                                                                                                                                                                                                                                                                                                          | 25'                                                              | 15'                                                                              |
| MINIMUM WIDTH FOR ANY SINGLE FAMILY DETACHED LOT AS MEASURED ALONG BOTH THE FRONT WALL AND REAR WALL OF THE DWELLING UNIT.                                                                                                                                                                                                                             | 85'                                                              | 85'                                                                              |
| THIS TABLE LISTS MINIMUM SETBACK REQUIREMENTS FOR URBAN RESIDENTIAL USE IN THE HONEYGO OVERLAY DISTRICT. FOR A FULLER EXPLANATION OF THESE AND OTHER REQUIREMENTS, CONSULT THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICY (CMDP) AND SECTION 259.9.B AND 259.9.C OF THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR)                                     |                                                                  |                                                                                  |

BUILDING ENVELOPE NOTE  
ENVELOPES OR TYPICAL HOUSE LOCATIONS ON SINGLE FAMILY LOTS MAY DICTATE A SPECIFIC BUILDING ORIENTATION. THE SETBACKS REQUIRED BY THE BALTIMORE COUNTY ZONING REGULATIONS MUST BE MET.  
ENVELOPES OR TYPICAL DWELLINGS AS SHOWN DICTATE A SPECIFIC LOCATION AND ORIENTATION WHICH IS INTENDED TO ALLOW COMPLIANCE WITH THE BALTIMORE COUNTY ZONING REGULATIONS, THE CMDP, AND ZONING POLICIES. SHOULD THE FINAL LOCATION AND ORIENTATION OF THE PROPOSED DWELLINGS GREATLY CONFLICT WITH THE REGULATIONS OR POLICIES, THE LOCATION AND ORIENTATION MUST BE CHANGED TO ALLEVIATE THE CONFLICT.

DIRECTOR OF PDM NOTE  
THE DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PDM BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS, THAT IT COMPLIES WITH PRESENT POLICY, DENSITY, AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER DIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED.

ACCESSORY STRUCTURE NOTE  
BUILDING 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 CONVEYANTS AND APPLICABLE BUILDING PERMITS.)  
ACCESSORY BUILDINGS/STRUCTURES ON PROPOSED LOT 1 (CORNER LOT) MUST BE LOCATED IN THE HALF OF THE REAR YARD FURTHEST REMOVED FROM THE SIDE STREET. ACCESSORY STRUCTURES ARE ALSO SUBJECT TO COMPLIANCE WITH SECTION 264.9A3, BCZR/OPEN PROJECTIONS (INCLUDING PORCHES OR STEPS IN FRONT YARDS) BY SECTION 264.9B4C, 264.9B4E(1), AND 264.9B4E(2), BCZR; AND FENCES BY SECTION 264.9C6, BCZR.

WALKWAY AND ACCESS EASEMENTS (WHERE APPLICABLE)  
IF DRAINAGE, UTILITY AND WALKWAY ACCESS EASEMENTS ARE FENCED, THEN AT LEAST 5 FEET MUST REMAIN OPEN FOR PEDESTRIAN ACCESS.

RESIDENTIAL PERFORMANCE STANDARDS

- 260.6 BUILDINGS  
A DEVELOPMENT PROPOSAL SHALL:
- PROVIDE A VARIETY IN HOUSING TYPE OR DESIGN, WHILE MAINTAINING CONTINUITY IN SCALE, RHYTHM, PROPORTION AND DETAIL.
  - ORIENT THE FRONT OF THE DWELLING TOWARD THE STREET AND INCORPORATE PROMINENT ENTRIES AND PORCHES OR STOOPS INTO FRONT BUILDING FACADES.
  - ADHERE TO A CONSISTENT FRONT BUILDING SETBACK FOR ALL DWELLINGS ON THE SAME STREET OR SQUARE, SO THAT THE FRONTS OF DWELLINGS DEFINE A UNIFORM STREET EDGE.
  - DESIGN DECKS, BALCONIES, AND PORCHES AS COMPONENTS OF THE BUILDING, FOLLOWING DOMINANT BUILDING LINES, PROPORTIONS AND STYLE, AND IN A SCALE APPROPRIATE TO THE AVAILABLE SPACE ON THE SITE.
  - DECKS SHALL BE SCREENED TO MINIMIZE VISIBILITY FROM A PUBLIC STREET.
  - DESIGN ACCESSORY STRUCTURES AT A SCALE APPROPRIATE TO THE DWELLING AND DESIGN STORAGE BUILDING AND GARAGE WITH THE SAME ARCHITECTURAL THEME AS THE PRINCIPAL BUILDING ON THE SITE.
  - EXTEND THE FINISH MATERIAL OF THE EXTERIORS OF BUILDINGS TO GRADE OR, IF THIS IS NOT POSSIBLE, TO WITHIN 12 INCHES OF GRADE, ON ALL SIDES OF THE BUILDING EXCLUDING FOUNDATION WALLS WHICH SHALL USE A FINISHED QUALITY MATERIAL SUCH AS DECORATIVE CONCRETE BLOCK, POURED CONCRETE WITH A BRICK PATTERN, OR STUCCO, AND PROVIDE LANDSCAPING ALONG THE FOUNDATION.
  - USE SIMILAR MATERIALS AND DESIGN ELEMENTS ON ALL BUILDING FACADES AND ARTICULATE ALL BUILDING FACADES USING COORDINATED ARCHITECTURAL FEATURES SUCH AS PORCHES, WINDOWS, DOORS, CHIMNEYS, GABLES AND DORMERS.
  - GARAGES MAY NOT BECOME THE DOMINANT STREET FEATURE. GARAGE DOORS SHALL USE ITEMS SUCH AS WINDOWS, DECORATIVE PATTERNS, AND COLOR TO RELIEVE THE VISUAL IMPACT OF THE HOUSE FROM THE STREET.

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

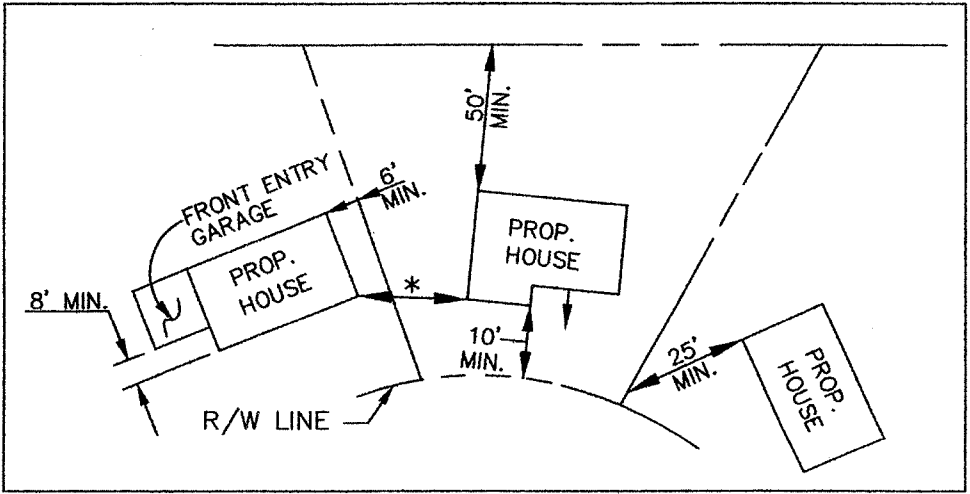
PLAN TO ACCOMPANY VARIANCE AND DEVELOPMENT PLAN  
TANNER PROPERTY

DISTRICT 11C5 BALTIMORE COUNTY, MD  
SCALE: AS SHOWN JUNE 12, 2008  
PDM #11-989  
SHEET 2 OF 2

OFFICE OF PLANNING AND ZONING  
Approved by:  
DIRECTOR OF PLANNING DATE  
DIRECTOR OF P.D.M. DATE



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MINIMUM BUILDING SETBACKS DETAIL (DR 2H)  
NOT TO SCALE

\*SIDE BUILDING FACE TO SIDE BUILDING FACE (DR 2H) = 30'  
\*SIDE BUILDING FACE TO SIDE BUILDING FACE (DR 3.5H) = 20'  
AS SIDE YARD SETBACKS ARE DETERMINED BY A BUILDING TO BUILDING RELATIONSHIP, NO MINIMUM DIMENSION EXISTS. EXTRAORDINARILY SMALL SETBACKS ON ONE LOT MAY THEREFORE RESULT IN UNUSUALLY LARGE SIDE SETBACKS BEING REQUIRED ON ADJOINING LOTS. IN ANY CASE THE REQUIRED SEPARATION BETWEEN BUILDINGS MUST BE MET.