

**IN RE: DEVELOPMENT PLAN HEARING &  
& PETITION FOR VARIANCE**

N side of Piney Hill Road, E of Hereford  
Road, W of Piney Creek Court  
(1126 Piney Hill Road)  
7<sup>th</sup> Election District  
3<sup>rd</sup> Councilmanic District  
(Eagan Property Resubdivision of Lot 3)

**Michael Eagan**  
*Applicant/Developer*

\* BEFORE THE  
\* HEARING OFFICER  
\* FOR  
\* BALTIMORE COUNTY  
\* **HOH Case No. 07-152**  
\* **Zoning Case No. 2011-0048-A**  
\*

\* \* \* \* \*

**HEARING OFFICER'S COMBINED ZONING RELIEF AND  
DEVELOPMENT PLAN OPINION ORDER**

This matter comes before this Deputy Zoning Commissioner/Hearing Officer for Baltimore County for a public hearing on a development 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 a related zoning Petition for Variance. Michael Eagan, the developer of the subject property (hereinafter "the Developer"), submitted for approval a redlined Development Plan prepared by Gerhold, Cross & Etzel, Ltd. known as the "Eagan Property Resubdivision of Lot 3" and "Plat to Accompany Petition for Zoning Variances" (hereinafter referred to as the "redlined Development Plan" for property located at 1126 Piney Hill Road. The Developer proposes further development of the existing Lot 3, which stems from the previous Eagan Property Minor Subdivision, PDM #94084, to create an additional lot, Lot 4, on a total of 11.5 acres, more or less, of predominately R.C.4 zoned property, with a smaller area zoned R.C.7. The subject site is currently improved with a single-family detached dwelling as well as a detached three car garage. The proposed development is more particularly described on the redlined Development Plan with a revision date of December 8, 2010 that was marked and

accepted into evidence as Developer's Exhibit 1.

In addition to seeking approval of the aforementioned Development Plan, the Developer is also requesting Variance relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an existing accessory structure (detached garage) to be in the front yard in lieu of the required rear yard, and to permit an existing accessory structure (detached garage) with a height of 24 feet in lieu of the maximum permitted 15 feet, respectively.

The property was posted with the Notice of Hearing Officer's Hearing on November 16, 2010 for 20 working days prior to the hearing, in order to inform 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 November 16, 2010 and was timely published in *The Jeffersonian* in accordance with the County Code.

Pursuant to the development review and approval process, a concept plan of the proposed development was prepared and a Concept Plan Conference ("CPC") was held on October 13, 2009 at 11:00 AM in the County Office Building. As the name suggests, the concept plan is a schematic representation of the proposed development and was initially reviewed by representatives of the Developer and the reviewing County Agencies at the CPC. Thereafter, as was also required in the development review process, notice of a Community Input Meeting ("CIM") was posted and scheduled during evening hours at a location near the proposed development. The CIM would provide residents of the area an opportunity to review and comment firsthand on the Concept Plan. In this case, the CIM was held on December 8, 2009 at 7:00 PM at the County Office Building, Room 106, 111 West Chesapeake Avenue, Towson, Maryland, where representatives of the Developer and the County attended, as well as a number of interested persons from the community. Subsequently, a Development Plan was prepared

based upon the comments received at the CPC and the CIM, and the Development Plan was submitted for further review at a Development Plan Conference ("DPC"). At the DPC, the Developer's consultants and County agency representatives further reviewed and scrutinized the plan. The DPC occurred on November 17, 2010 at 10:00 AM. Thereafter, the instant Hearing Officer's Hearing was held to consider this proposal on December 17, 2010 in Room 106 of the County Office Building located at 111 West Chesapeake Avenue in Towson.

Appearing at the requisite public hearing in support of Development Plan approval and the related request for zoning relief was the Developer and legal owner of the property, Michael Eagan. Also appearing was Scott Lindgren with Gerhold, Cross & Etzel, Ltd., the land surveyor who prepared the redlined Development Plan. There were no Protestants or other interested citizens in attendance; however, a letter was received on December 16, 2010 from adjacent property owners Avi Shaked and Babs Waldman expressing opposition to another subdivision of the Eagan property, following a previous minor subdivision. This letter was marked and accepted into evidence as Protestant's Exhibit 1.

Numerous representatives of the various Baltimore County agencies who reviewed the redlined Development Plan and zoning Petition also attended the hearing, including the following individuals from the Department of Permits and Development Management: Colleen Kelly (Project Manager), Michael Viscarra (Development Plans Review), Joe Merrey (Office of Zoning Review), and Gigi Hampshire (Bureau of Land Acquisition). Also appearing on behalf of the County were Jeff Livingston from the Department of Environmental Protection and Resource Management ("DEPRM"); and Lloyd Moxley from the Office of Planning. In addition, written comments were received from the Baltimore County Fire Marshal's Office and the Maryland State Highway Administration. These and other agency remarks are contained

within the case file. Specifically, Lt. Jimmie Mezick with the Office of the Fire Marshal submitted an email dated December 10, 2010 that was marked and accepted into evidence as Baltimore County Exhibit 3, which stated that his office had agreed to the proposed turn-around shown on the redlined Development Plan and had no other issues with the Plan.

It should be noted at this juncture that the role of the reviewing County agencies in the development review and approval process is to perform an independent and thorough review of the Development Plan as it pertains to their specific areas of concern and expertise. The agencies specifically comment on whether the plan complies with all applicable Federal, State, and/or County laws, policies, rules 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, which includes providing input to the Hearing Officer either in writing or in person at the hearing. It should also be noted that continued review of the plan is undertaken after the Hearing Officer's Hearing during the Phase II review of the project. This continues until a plat is recorded in the Land Records of Baltimore County and permits are issued for construction.

Testimony and evidence received in the case revealed that the subject property is located at the northwest side of Piney Hill Road, east of York Road and Hereford Road, in the Monkton area of Baltimore County. As shown on the "Devolution of Title" detail on the redlined Development Plan, the property was originally part of a larger tract containing approximately 56.15 acres known as the "Vance Property" and held intact since 1937. A portion of the Vance Property known as Tract 2 containing approximately 27.495 acres has been held intact since 1982. In 1994, Tract 2 was subdivided by Mr. and Mrs. Eagan into three lots as part of a minor subdivision. Lot 1 contained 8.331 acres, Lot 2 contained 7.595 acres, and Lot 3, which was

retained by the Eagans, contained 11.450 acres. Access to the three lots was via a use-in-common access easement from Piney Hill Road. The Developer looked into a re-subdivision of Lot 3 in 1999, however the property was downzoned during the 2000 Comprehensive Zoning Map Process ("CZMP"). Thereafter, the property was rezoned once more during the 2008 CZMP to its present R.C.4 zoning, as well as R.C.7.

The current proposal is to re-subdivide Lot 3 (the "subject property") into two lots, namely Lot 3 (5.768 acres) and Lot 4 (5.682 acres), utilizing the remaining density. The existing 15 foot wide use-in-common access easement will remain for ingress/egress to and from Lot 3 and proposed Lot 4, with a proposed 30 foot by 70 foot T-turnaround where the driveways for the two lots meet, as depicted on the redlined Development Plan. The existing 2½-story stone and brick dwelling and detached three car garage on Lot 3, known as 1126 Piney Hill Road where the Developers reside, will remain and a new dwelling will be built on Lot 4 that will meet all area and setback requirements. In order to legitimize the three car garage and to meet zoning requirements, variance relief is needed for the location of the structure in the front yard and its height of 24 feet.

Section 32-4-228 of the Baltimore County Code (B.C.C.) sets forth the standards by which the Hearing Officer must follow when considering a development plan. At the public hearing, the Hearing Officer is required to determine what, if any, open issues or agency comments remain unresolved. Testimony and evidence received was that all issues raised within the comments submitted by the various County reviewing agencies had been resolved and incorporated within the redlined Development Plan, and that the Plan complies with all County regulations. This included a request for a fee in lieu of open space requirements, which was granted pursuant to the letter from the Department of Recreation and Parks dated November 22,

2010 that was marked and accepted into evidence as Baltimore County Exhibit 1. A School Impact Analysis was prepared by the Developer's consultants and corroborated by the Planning Office, showing capacity at the Sparks Elementary School as above the 115% threshold (*See*, Baltimore County Exhibit 2); however, Mr. Moxley with the Planning Office indicated there was sufficient adjacent capacity in the District for the one additional student generated by this development. He also indicated no objection to the requested variances so long as the garage would not be used for commercial purposes or used as living quarters. There being no open issues or concerns raised by the Developer or any County agency representatives, it was not necessary to take any testimony but a brief presentation of the Plan was provided by Mr. Lindgren as the land use consultant with the firm of Gerhold, Cross & Etzel. Ltd.

The Baltimore County Code 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." *See*, Section 32-4-229 of the B.C.C. After due consideration of the testimony and evidence presented by the Developer, the exhibits offered at the hearing, and confirmation from the various County agencies that the development plan satisfies those agencies' requirements, I find that the Developer has satisfied its burden of proof and, therefore, is entitled to approval of the redlined Development Plan.

The Developer has also requested certain zoning relief. Zoning relief is typically sought to modify development and Zoning Regulations as well as uses. The variance, as previously indicated, is requested to permit an existing accessory structure (detached garage) to be in the front yard in lieu of the required rear yard, and with a height of 24 feet in lieu of the maximum permitted 15 feet. To this request, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requests. Clearly, this is a

unique site, with its irregular shape, with significant grades and slopes associated with the property, and it is very wooded and vegetated. I also find that strict compliance with the Zoning Regulations would create a practical difficulty and unreasonable hardship upon the Developer that would result in a denial of a reasonable and beneficial use of the property. Finally, I find that the variance requests can be granted in strict harmony with the spirit and intent of Section 307.1 of the B.C.Z.R., and in such a manner as to grant relief without injury to the public health, safety and general welfare.

Lastly, it should be noted that my decision with regard to the Petition for Variance and the Hearing Officer's Hearing considering the proposed development are treated differently for appeal purposes. The decision as to the zoning Petition is made by me sitting as Deputy Zoning Commissioner. An appeal from this decision is a *de novo* appeal to the Board of Appeals of Baltimore County. The decision as to approval of the redlined Development Plan is made by me sitting as Hearing Officer for Baltimore County. An appeal from that decision is on the record to the Board of Appeals pursuant to Section 32-4-281 of the B.C.C. Both appeals must be filed within 30 days from the date of this Order.

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, the "Eagan Property Resubdivision of Lot 3" redlined Development Plan shall be approved consistent with the comments contained herein. In addition, the requested variance relief shall be granted.

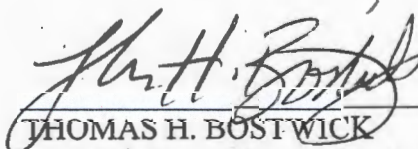
THEREFORE, IT IS ORDERED by this Hearing Officer/Deputy Zoning Commissioner for Baltimore County, this 20<sup>th</sup> day of December, 2010, that the "EAGAN PROPERTY RESUBDIVISION OF LOT 3" redlined Development Plan that was marked and accepted into

evidence as Developer's Exhibit 1, be and is hereby **APPROVED**; and

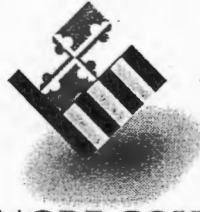
IT IS FURTHER ORDERED by this Deputy Zoning Commissioner that the Variance requests from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an existing accessory structure (detached garage) to be in the front yard in lieu of the required rear yard, and to permit an existing accessory structure (detached garage) with a height of 24 feet in lieu of the maximum permitted 15 feet be and is hereby **GRANTED**.

The aforementioned approval and relief granted herein shall be subject to the following as conditions precedent:

1. Any appeal of this decision must be taken within thirty (30) days from the date of this Order and are subject to the appeal provisions contained in the Baltimore County Zoning Regulations and Section 32-4-281 of the Baltimore County Code. If an appeal of this decision is not taken within the time prescribed, then this decision shall constitute a final Order as to the Zoning relief requested and a final Development Plan Order as to the Hearing Officer's Hearing.
2. The subject accessory structure (detached garage) shall not be used for commercial purposes and shall not contain any living quarters or be used as a residence.

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

THB:pz



**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
*County Executive*

THOMAS H. BOSTWICK  
*Deputy Zoning Commissioner*

December 20, 2010

MICHAEL EAGAN  
1126 EAST PINEY HILL ROAD  
MONKTON MD 21111

Re: **Eagan Property Resubdivision of Lot 3**  
HOH Case No. 07-152 and Zoning Case No. 2011-0048-A  
Property: 1126 Piney Hill Road

Dear Mr. Eagan:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Thomas H. Bostwick".

THOMAS H. BOSTWICK  
Deputy Zoning Commissioner  
for Baltimore County

Enclosure

c: Scott Lindgren, Gerhold, Cross & Etzel, Ltd., 320 East Towsontown Blvd., Suite 107,  
Towson MD 21286  
Avi Shaked and Babs Waldman, 4816 South Alaska, Seattle WA 98118



# Petition for Variance

to the **Zoning Commissioner of Baltimore County** for the property

located at 1126 Piney Hill Road, Monkton, MD 21111

which is presently zoned RC4 & RC7

Deed Reference: 10494 /707 Tax Account # 1900006552

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)

400.1: To permit an existing accessory structure (detached garage) to be in the front yard in lieu of the required rear yard

400.3: To permit an existing accessory structure (detached garage) with a height of 24 feet in lieu of the maximum permitted 15 feet

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

The garage is existing and the removal would result in substantial loss of value of the property

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:

Name - Type or Print

Signature

Address

Telephone No

City

State

Zip Code

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No. 2011-0048-A

## Legal Owner(s):

Michael Eagan

Name - Type or Print

Signature

Julie C. Eagan

Name - Type or Print

Signature

1126 Piney Hill Road

Address

Monkton

City

MD

State

410

343-0042

Telephone No.

21111

Zip Code

## Representative to be Contacted:

Scott A. Lindgren

Gerhold, Cross & Etzel, Ltd.

Name

Suite 100

320 E. Towsontown Blvd.

Address

Towson

City

MD

State

410

823-4470

Telephone No.

21286

Zip Code

## Office Use Only

Estimated Length of Hearing \_\_\_\_\_  
Unavailable For Hearing \_\_\_\_\_

Reviewed by D.T. Date 8/2/10



## Gerhold, Cross & Etzel, Ltd.

*Registered Professional Land Surveyors • Established 1906*

Suite 100 • 320 East Towson Town Boulevard • Towson, Maryland 21286  
Phone: (410) 823-4470 • Fax: (410) 823-4473 • [www.gcelimited.com](http://www.gcelimited.com)

July 29, 2010

### ZONING DESCRIPTION 1126 PINEY HILL ROAD

Beginning for the same at a point distant 5,415 feet, more or less, measured easterly along the center of Piney Hill Road and 1,150 feet northwesterly along the center of a use-in-common driveway from the center of Hereford Road, thence binding on the outlines of the subject property, 1) South 84 degrees 45 minutes 48 seconds West 359.60 feet, 2) North 05 degrees 14 minutes 12 seconds West 624.79 feet, 3) North 83 degrees 42 minutes 07 seconds East 832.15 feet, 4) South 42 degrees 47 minutes 53 seconds East 569.05 feet, 5) South 84 degrees 30 minutes 13 seconds West 277.90 feet, 6) North 42 degrees 21 minutes 51 seconds West 249.90 feet, and 7) South 40 degrees 01 minute 07 seconds West 549.91 feet to the point of beginning.

Containing 11.450 Acres of land, more or less.

This description only satisfies the requirements of the Office of Zoning and should not be used for conveyance purposes.



# 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: 2011-0048-A

Petitioner: MICHAEL & JULIE EAGAN

Address or Location: 1126 PINEY HILL ROAD MONKTON, MD 21111

#### PLEASE FORWARD ADVERTISING BILL TO:

Name: MICHAEL EAGAN

Address: 1126 PINEY HILL ROAD  
MONKTON, MD 21111

Telephone Number: 410-343-0042

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

No. **58665**

Date: **8/2/10**

**PAID RECEIPT**

BUSINESS ACTUAL TIME DRW  
8/02/2010 8/02/2010 10:15:41 3  
REG #503 BAL/IN #109 LRD  
RECEIPT # 470634 8/02/2010 06/11  
5 528 ZONING VERIFICATION  
058665  
Recpt tot \$45.00  
\$45.00 CH \$0.00 CR  
Baltimore County, Maryland

| Fund | Dept | Unit | Sub Unit | Rev Source/ Obj | Sub Rev/ Sub Obj | Dept Obj | BS Acct | Amount |
|------|------|------|----------|-----------------|------------------|----------|---------|--------|
| 001  | 806  | 0000 |          | 6150            |                  |          |         | 65.00  |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |

Total: **65.00**

Rec From: **GERHOLD CROSS & ETZEL**

For: **2011-0048-A**  
**11216 PINEY HILL RD.**

**D. THOMPSON**

**CASHIER'S  
VALIDATION**

**DISTRIBUTION**

WHITE - CASHIER    PINK - AGENCY    YELLOW - CUSTOMER    GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

TB  
12-17-10

# REQUEST FOR HOH

MANAGER: Colleen Kelly/JS PDM #: 07-152  
ACRES: 11.5  
NAME: EAGAN PROPERTY RESUBDIVISION LOT 3  
ADDRESS: 1126 PINEY HILL RD  
DEVELOPER: MICHAEL EGAN  
ENGINEER: GERHOLD CROSS & ETZEL LTD  
PROPOSAL: 2 SFDS  
PLANNER:

\$  
2011-  
0048-A

DOES THIS NEED A SPECIAL EXCEPTION OR VARIANCE?

YES ☒ NO ☐

ITEM NUMBER AND/OR DROP-OFF DATE 2011-0048A FOR VARIANCE, ET AL.

ESTIMATED LENGTH OF HEARING:

ATTORNEY: NONE

OPPOSING ATTORNEY:

DATES NOT TO SET:

EMAIL OF PROJECT SUMMARY TO ZC'S OFFICE (date sent) 10/28/10

HOF - FRIDAY DECEMBER 17, 2010 @ 9:00 AM Room 106  
DPC - WED. NOVEMBER 17, 2010 @ 10:00 AM Room 122  
Post By: 11-18-10

12-17

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: #2011-0048-A

1126 Piney Hill Road

1150 feet north of Piney Hill Road, 5415 feet east of the centerline of Hereford Road

7th Election District — 3rd Councilmanic District

Legal Owner(s): Michael Egan

Variance: to permit an existing accessory structure (detached garage) to be in the front yard in lieu of the required rear yard. To permit an existing accessory structure (detached garage) with a height of 24 feet in lieu of the maximum permitted 15 feet.

Hearing: Friday, December 17, 2010 at 9:00 a.m. in Room 106, County Office Building, 111 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.  
12/009 December 2 262174

## CERTIFICATE OF PUBLICATION

12/21, 2010

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 12/21, 2010.

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

2011-0048

*J. Wilkinson*

LEGAL ADVERTISING



# Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286  
Phone: (410) 823-4470 • Fax: (410) 823-4473 • [www.gcelimited.com](http://www.gcelimited.com)

## CERTIFICATE OF POSTING

RE: Case# 2011-0048-A

PETITIONER: Michael Eagan

DATE OF HEARING: December 17,  
2010

BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
COUNTY OFFICE BUILDING, ROOM 111  
111 WEST CHESAPEAKE AVE.  
TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY  
SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

(see page 2 for full size photo)

LOCATION:  
1126 Piney Hill Road

SIGNATURE OF SIGN POSTER

Bruce E. Doak

GERHOLD, CROSS & ETZEL, LTD  
SUITE 100  
320 EAST TOWSONTOWN BLVD  
TOWSON, MARYLAND 21286  
410-823-4470 PHONE  
410-823-4473 FAX

POSTED ON: 11/16/10

# ZONING NOTICE

**CASE # : 2011-0048-A**

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

**PLACE:** Room 106 County Office Building  
**TIME &** 111 West Chesapeake Avenue, Towson, MD  
**DATE :** 9:00 am Friday December 17, 2010

**Variance:** to permit an existing accessory structure (detached garage) to be in the front yard in lieu of the required rear yard. To permit an existing accessory structure (detached garage) with a height of 24 feet in lieu of the maximum permitted 15 feet.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES  
NECESSARY TO CONFIRM HEARING.

CALL 410-887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE.

DO NOT REMOVE THIS SIGN AND POST UP THE DAY OF HEARING. UNDER PENALTY OF LAW  
**HEARINGS ARE HANDICAPPED ACCESSIBLE**

Date and

Location:

Developer:

Property Act

Description of

family dw

You may t

Departm

111 W

DO NOT REMOVE TO

# ZONING NOTICE

CASE #: 2011-0048-A

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

PLACE: Room 106 County Office Building  
111 West Chesapeake Avenue, Towson, MD

TIME &

DATE: 9:00 am Friday December 17, 2010

Variance: to permit an existing accessory  
structure (detached garage) to be in the front  
yard in lieu of the required rear yard. To permit  
an existing accessory structure (detached  
garage) with a height of 24 feet in lieu of the  
maximum permitted 15 feet.

FOR INFORMATION ONLY: IF YOU HAVE ANY COMMENTS OR QUESTIONS, PLEASE CONTACT THE ZONING COMMISSIONER AT 410-326-7000. THE ZONING COMMISSIONER'S OFFICE IS OPEN MONDAY THROUGH FRIDAY, 9:00 AM TO 5:00 PM. HEARINGS ARE HANDICAPPED ACCESSIBLE.

Notice

## Hearing Officer's Hearing

For  
"EAGAN PROPERTY, RESUBDIVISION  
OF LOT 3" PDM #V11-026

DATE: DEC 17, 2010 9:00 AM

Room 106, County Office Building  
111 W. Chesapeake Ave, Towson, MD 21204

Developer: MICHAEL & JULIE EAGAN

Property: 11.5 Acres

Proposed: 1.5 Acres (2 lots) 2 lots for 1.5

Lottery drawings 12 existing, 4 new

For more information, please contact the Zoning Commissioner at 410-326-7000. The Zoning Commissioner's Office is open Monday through Friday, 9:00 AM to 5:00 PM. Hearings are handicapped accessible.



APERS





**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
County Executive

TIMOTHY M. KOTROCO, *Director*  
*Department of Permits and*  
*Inspection, Management*  
October 27, 2010

**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: 2011-0048-A**

1126 Piney Hill Road

1150 feet north of Piney Hill Road, 5415 feet east of the centerline of Hereford Road

7<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Michael Egan

Variance to permit an existing accessory structure (detached garage) to be in the front yard in lieu of the required rear yard. To permit an existing accessory structure (detached garage) with a height of 24 feet in lieu of the maximum permitted 15 feet.

Hearing: Friday, December 17, 2010 at 9:00 a.m. in Room 106, County Office Building,  
111 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco  
Director

TK:kl

C: Mr. & Mrs. Egan, 1126 Piney Hill Road, Monkton 21111  
Bruce Doak, GC & E, 320 E. Towsontown Blvd., Ste. 100, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURS., DECEMBER 2, 2010.**
- (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, December 2, 2010 Issue - Jeffersonian

Please forward billing to:  
Michael Egan  
1126 Piney Hill Road  
Monkton, MD 21111

410-343-0042

---

## NOTICE OF ZONING HEARING

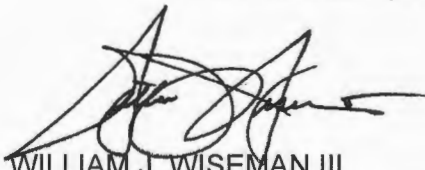
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2011-0048-A**

1126 Piney Hill Road  
1150 feet north of Piney Hill Road, 5415 feet east of the centerline of Hereford Road  
7<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District  
Legal Owners: Michael Egan

Variance to permit an existing accessory structure (detached garage) to be in the front yard in lieu of the required rear yard. To permit an existing accessory structure (detached garage) with a height of 24 feet in lieu of the maximum permitted 15 feet.

Hearing: Friday, December 17, 2010 at 9:00 a.m. in Room 106, County Office Building,  
111 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.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Baltimore County Government  
Department of Permits and  
Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

410-887-3321

October 29, 2010

Gerhold, Cross, & Etzel, LTD  
320 East Towsontown Boulevard, Suite 100  
Towson, MD 21286

Re: Eagan Property Resubdivision Lot 3  
PDM Number: 07-426

Dear Sir or Madam:

The Development Plan Conference, and the Hearing Officer's Hearing, have been scheduled on the above referenced project. Please arrange to attend these meetings with appropriate representation. Please notify your client of these meetings.

DEVELOPMENT PLAN CONFERENCE:

Date: Wednesday, November 17, 2010      Time: 10:00 AM  
Location: Development Management Conference Room 123  
County Office Building; 111 W. Chesapeake Avenue; Towson, MD 21204

HEARING OFFICER'S HEARING:

Date: Friday, December 17, 2010      Time: 9:00 AM  
Location: Rm. 106, County Office Bldg.; 111 W. Chesapeake Ave.; Towson, MD 21204

A copy of a public notification letter of the Development Plan Conference and Hearing Officer's Hearing, is attached for your convenience. Please note that it is the developer's responsibility to send a copy of the development plan, and notify all interested parties of the conference and hearing. Also, it is the developer's responsibility to post the property. Please note the property must be posted by November 18, 2010. A county authorized sign posting company must post the sign(s). A list of authorized sign posters is available in Room 123 of the County Office Building. A certificate of posting and photograph of the sign must be forwarded to this office prior to the Hearing Officer's Hearing.

Sincerely,

*Colleen M. Kelly / dak*

Colleen M. Kelly  
Project Manager

CMK:dak



## 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*

September 22, 2010

Robert & Ralph Marshall  
1522 Chivalry Ct.  
Baltimore, MD 21237

Dear: Robert & Ralph Marshall

RE: Case Number 2011-0049-A, 3021 Third Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 30, 2010. 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,

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel  
Edwin Howes; 901 Sidehill Dr.; Belair, MD, 21015  
Craig Rodgers; P.O. Box 201; White Marsh, MD 21162



**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
*County Executive*

JOHN J. HOHMAN, *Chief*  
*Fire Department*

August 12, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 9, 2010

Item No.: **Variance:** 2011-0028SPHA, 2011-0032A, 2011-0047A – 0049A, 2011-0026SPHXA

**Administrative Variance:** 2011- 0050A, 2011-0052 - 0053A, 2011-0055A – 0056A.

**Special Hearing:** 2011-0028SPHA, 2011-0051SPH, 2011-0057SPH, 2011-026SPHXA

**Special Exception:** 2011-0026SPHXA

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore County Fire Marshal's Office** and the comment below is applicable for the above listed properties.

**Comments:**

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

Don W. Muddiman, Acting Lieutenant  
Baltimore County Fire Marshal's Office  
700 E. Joppa Road, 3<sup>RD</sup> Floor  
Towson, Maryland 21286  
410-887-4880  
Mail Stop: 1102

cc: File

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**DATE:** August 10, 2010

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For August 23, 2010  
Item Nos. 2011- 026, 028, 032, 047,  
048, 049, 050, 051, 052, 053, 054,  
055, 056 and 057

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

DAK:CEN:cab  
cc: File  
G:\DevPlanRev\ZAC -No Comments\ZAC-08232010 -NO COMMENTS.doc



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

Beverley K. Sweim-Staley, Secretary  
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: August 18, 2011

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

RE: Baltimore County  
Item No. 2011-0049-A  
3021 THIRD AVENUE  
HOWES 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. 2011-0049-A.

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

Very truly yours,

Foster Steven D. Foster, Chief  
Engineering Access Permits  
Division

SDF/mb

RE: PETITION FOR VARIANCE \* BEFORE THE  
1126 Piney Hill Road; 1150' N of Piney Hill \*  
Road; 5415' E c/line of Hereford Road \* ZONING COMMISSIONER  
7<sup>th</sup> Election & 3<sup>rd</sup> Councilmanic Districts \*  
Legal Owner(s): Michael & Julie Eagan \* FOR  
Petitioner(s) \* BALTIMORE COUNTY  
\* 2011-048-A

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

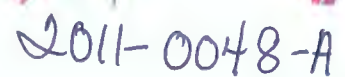
**CERTIFICATE OF SERVICE**

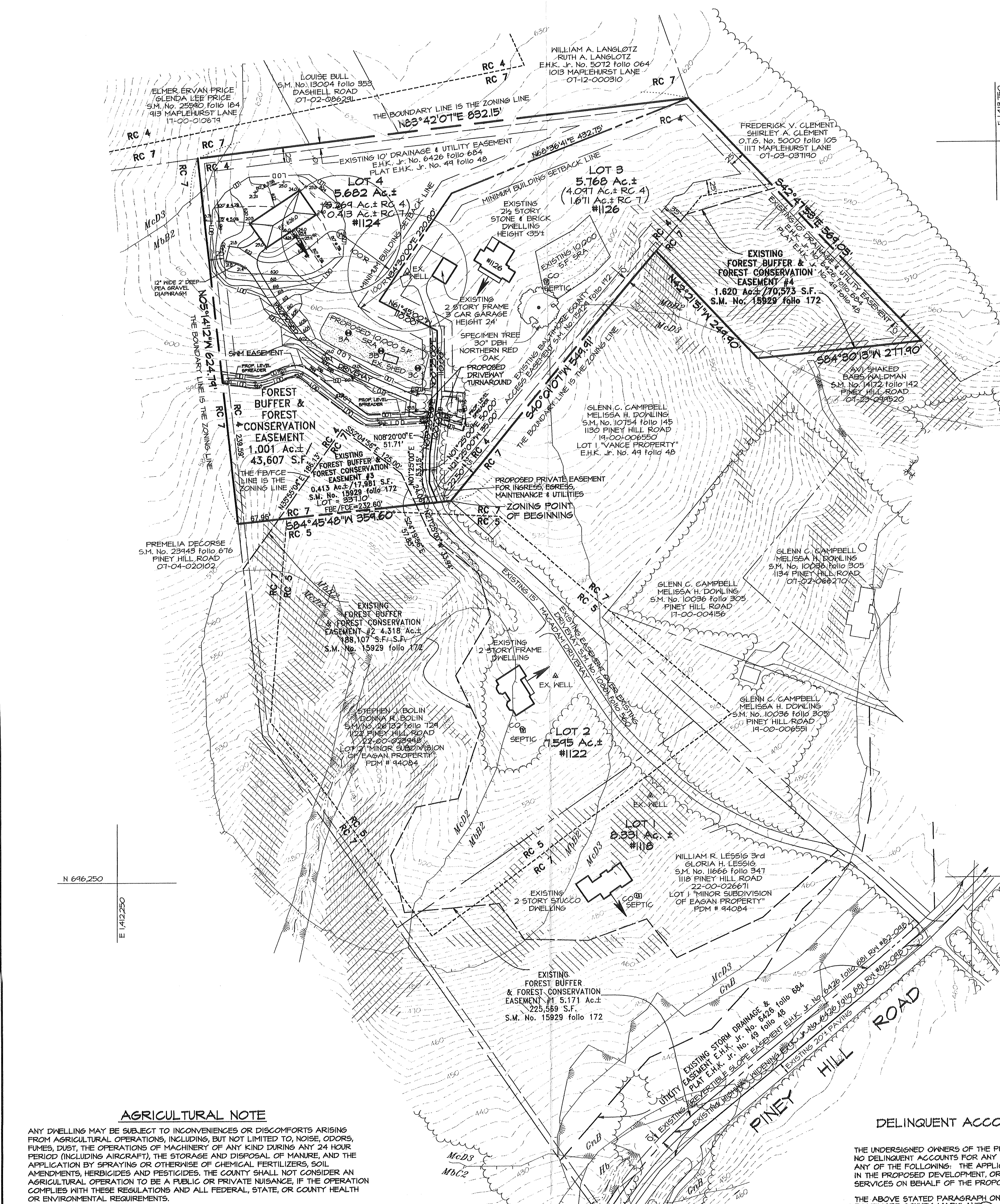
I HEREBY CERTIFY that on this 23rd day of August, 2010, a copy of the foregoing Entry of Appearance was mailed to Scott Lindgren, Gerhold, Cross & Etzel, Ltd, 320 E Towsontown Blvd, Towson, MD 21286, Representative for Petitioner(s).

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

RECEIVED

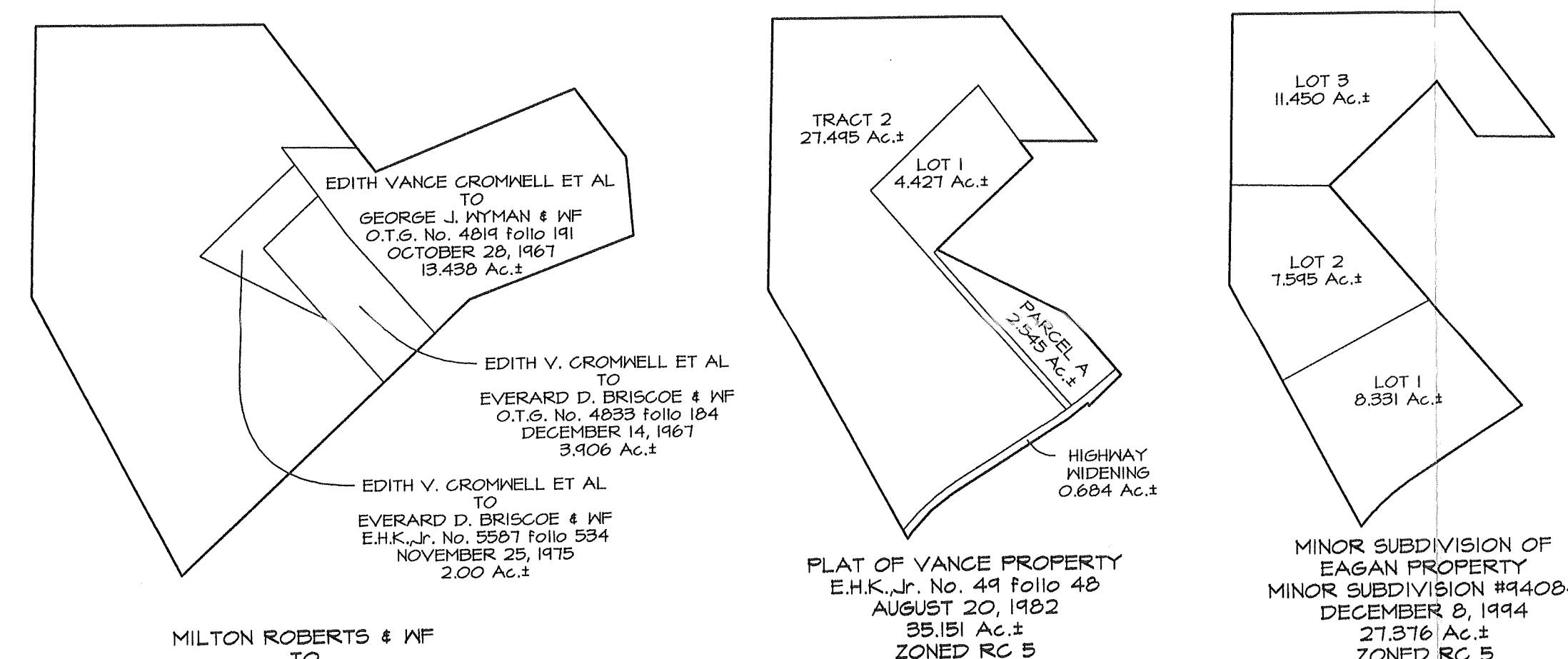
AUG 23 2010



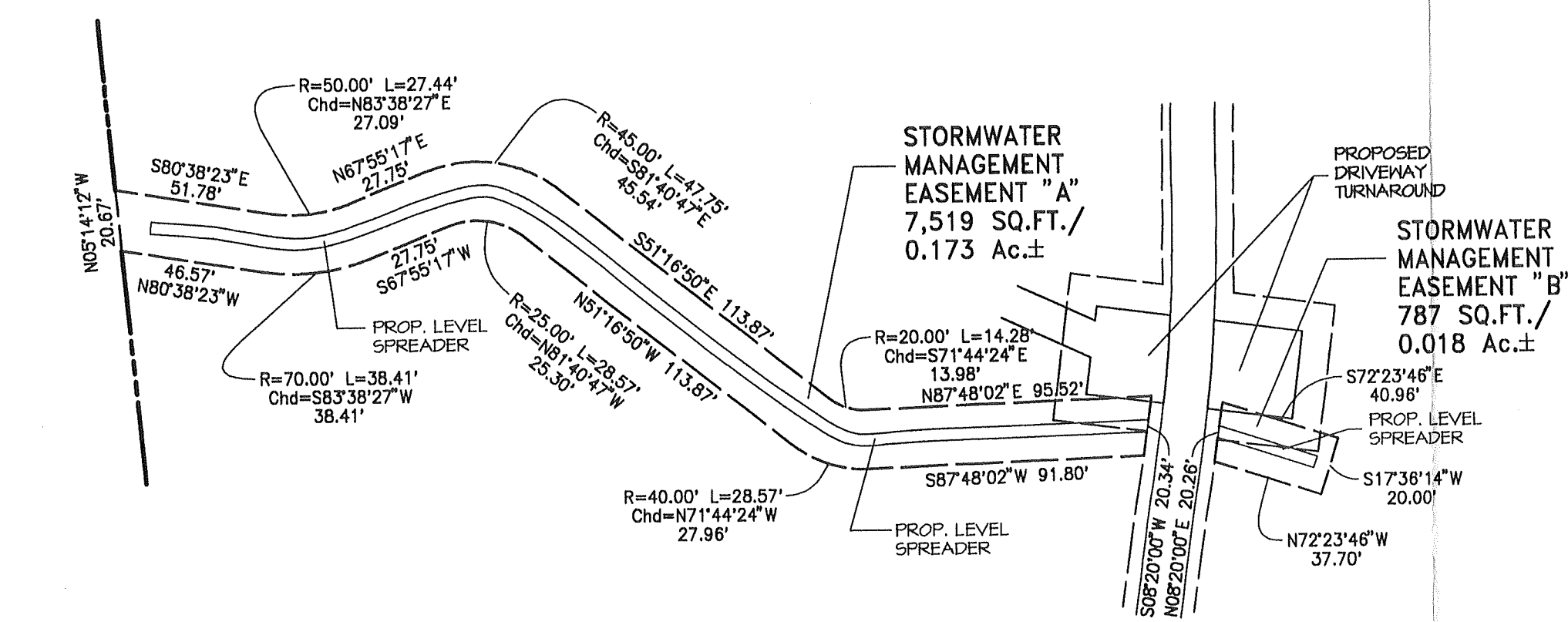


MARYLAND COORDINATE SYSTEM  
NAD83(11)

E 441730  
N 6417500



DEVOLUTION OF TITLE DETAIL  
1" = 500'



STORMWATER MANAGEMENT EASEMENT DETAIL  
1" = 50'

- ### GENERAL NOTES
- THE BOUNDARY SHOWN HEREON IS FROM A BOUNDARY SURVEY BY GERHOLD, CROSS & ETZEL, LTD.
  - THE TOPOGRAPHY SHOWN HEREON HAS BEEN TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 15.
  - THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 15.
  - GENUS TRACT: 407000 REGIONAL PLANNING DISTRICT: 301
  - WATERSHED: LOGAN RAVEN SUBWATERSHED: NONE
  - A.D.G. MAP & GRID: 7119
  - THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
  - THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
  - THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
  - THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHEAPSAFE BAY CRITICAL AREA.
  - THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
  - ALL APPARENT SEPTIC SYSTEMS, WELLS, AND SOIL PERCOLATION TESTS WITHIN 100' OF THE PROPERTY LINES WERE FIELD LOCATED.
  - ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.
  - NO GRADING IS TO BE DONE IN THE SEPTIC RESERVE AREAS.
  - THE 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).
  - AVERAGE DAILY TRIPS (2 LOTS) X 13 = 26
  - LOCAL OPEN SPACE REQUIRED FOR 2 LOTS IS 2,000 SQ. FT. OR 0.046 ACRES. OPEN SPACE REQUIRED - 1,300 SQ. FT. ACTIVE AND 100 SQ. FT. PASSIVE; OPEN SPACE PROVIDED 0 SQ. FT. A MAJOR OF LOCAL OPEN SPACE WILL BE REQUESTED.
  - ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS.
  - HIGHWAY, SLOPE EASEMENTS, DRAINAGE AND UTILITIES EASEMENTS, ACCESS EASEMENTS AND STORM WATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED INTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND.
  - BALTIMORE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED AS TO THE RIGHT OF ANY PRESENT OR FUTURE OWNER OF ANY LOT SHOWN ON THIS PLAN TO USE ALL OR ANY PART OF THAT LAND DESIGNATED AS PRIVATE RIGHT-OF-WAY FOR THE PURPOSE OF INGRESS, EGRESS, REGRESS, OR THE RIGHT TO OPEN OR EXCAVATE THE AFORESAID RIGHT-OF-WAY FOR THE PURPOSES OF INSTALLING, CONSTRUCTING AND MAINTAINING UTILITIES SUCH AS, BUT NOT LIMITED TO, WATER, SEWER, ELECTRICAL, TELEPHONE OR CABLE TELEVISION.
  - THIS PROPERTY, AS SHOWN HEREON, HAS BEEN HELD INTACT SINCE JAN. 25, 1946. PRIOR TO THE MINOR SUBDIVISION OF THE EAGAN PROPERTY (PDM #14084), THIS PROPERTY HAS BEEN HELD INTACT SINCE AUGUST 20, 1982 AS TRACT NO. 2 OF "PLAT OF VANCE PROPERTY" E.H.K. JR. NO. 49 FOLIO 48. PRIOR TO THIS PLAT, THE VANCE PROPERTY HAS BEEN HELD INTACT SINCE APRIL 13, 1937. THE DEVELOPER'S SURVEYOR 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.
  - THE AREAS BETWEEN THE SIGHT LINE AND THE EDGE OF PAVING MUST BE CLEARED, GRADED AND KEPT FREE OF ANY OBSTRUCTIONS.
  - THE BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THE SUBJECT PROPERTY IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
  - MAXIMUM BUILDING HEIGHT FOR NON-AGRICULTURAL PRINCIPAL BUILDINGS IS 50 FEET.
  - THE EXISTING SHED WILL BE EITHER RELOCATED TO THE REAR YARD OF LOT 3 OR REMOVED. ALL OTHER EXISTING STRUCTURE ARE TO REMAIN.

### R.C. 4 DENSITY CALCULATIONS

|                  |                     |
|------------------|---------------------|
| GROSS AREA       | 9.366 Ac.±          |
| HIGHWAY WIDENING | 0 Ac.±              |
| NET AREA         | 9.366 Ac.±          |
| LOTS PERMITTED   | 6-10 ACRES = 2 Lots |
| LOTS PROPOSED    | 2                   |

OWNER/DEVELOPER  
MICHAEL EAGAN  
JULIE C. EAGAN  
1126 PINEY HILL ROAD  
MONKTON, MARYLAND 21111  
410-843-0042

### R.C. 7 DENSITY CALCULATIONS

|                  |                       |
|------------------|-----------------------|
| GROSS AREA       | 2.084 Ac.±            |
| HIGHWAY WIDENING | 0.0 Ac.±              |
| NET AREA         | 2.084 Ac.±            |
| LOTS PERMITTED   | 1 Per 25 Ac.± = 1 Lot |
| LOTS PROPOSED    | 0                     |



JAMES T. SMITH, JR.  
County Executive

ARNOLD F. "PAT" KELLER, III  
Director, Office of Planning

July 7, 2010

Mr. Scott A. Lindgren  
Gerhold, Cross & Etzel, Ltd.  
320 East Towson Boulevard, Ste. 100  
Towson, Maryland 21286

Re: Waiver Request, Eagan Property  
T.M. 28, Parcel 135  
Tax Account # 190006552

Dear Mr. Lindgren:

Your request for a waiver from the provision of Section 32-4-409(b)(1) of the Baltimore County Code (BCC) has been APPROVED. As such, you client is not required to provide in-fee access for proposed Lots 3 and 4 to be developed at the above referenced parcel. Access to said lots may be provided via the private easement established in S.M. 10861 at folio 560. Further, upon the favorable recommendation of Mr. Kennedy, Supervisor, Bureau of Development Plans Review, PDM that a 15 foot wide driveway with a 30'x70' T-turnaround is sufficient for this development, your request for a waiver to Section 32-4-409(i)(1) BCC has been APPROVED.

A copy of this letter must be affixed to the Development Plan. Should you have any questions concerning the matters stated herein, please contact Lloyd Moxley in the Office of Planning at 410-887-3480 or [lmoxley@baltimorecountymd.gov](mailto:lmoxley@baltimorecountymd.gov).

Sincerely,

Arnold F. "Pat" Keller, III

AFK:LTM

105 West Chesapeake Avenue, Suite 101 | Towson, Maryland 21204 | Phone: (410) 887-3211 | Fax: (410) 887-5862  
[planning@baltimorecountymd.gov](mailto:planning@baltimorecountymd.gov) | [www.baltimorecountymd.gov](http://www.baltimorecountymd.gov)

OFFICE OF PLANNING WAIVER  
A WAIVER OF SECTION 32-4-409(b)(1) B.C.C. TO PERMIT ACCESS TO THE LOCAL STREET VIA AN EXISTING EASEMENT IN LIEU OF THE REQUIRED IN-FEE STRIPS WAS GRANTED IN A LETTER DATED JULY 7, 2010.

ZONING VARIANCE REQUESTS  
FOR A VARIANCE OF SECTION 400.1 B.C.Z.R. TO PERMIT AN EXISTING ACCESSORY STRUCTURE (DETACHED GARAGE) TO BE IN THE FRONT YARD IN LIEU OF THE REQUIRED REAR YARD  
FOR A VARIANCE OF SECTION 400.3 B.C.Z.R. TO PERMIT AN EXISTING ACCESSORY STRUCTURE (DETACHED GARAGE) WITH A HEIGHT OF 24' IN LIEU OF THE MAXIMUM PERMITTED 15'

### DELINQUENT ACCOUNTS CERTIFICATION

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

THE ABOVE STATED PARAGRAPH ONLY PERTAINS TO ACCOUNTS DUE TO BALTIMORE COUNTY, MARYLAND.

Michael Eagan  
JULIE C. EAGAN  
DATE 7-15-2010  
DATE 7-15-2010

### 1A03.4.B.3 B.C.Z.R. COMPLIANCE CHART

|       |                                     |                           |
|-------|-------------------------------------|---------------------------|
| LOT 3 | GROSS AREA                          | 5.760 Ac.±/248 SQ.FT.     |
|       | IMPERMEABLE SURFACE COVERAGE        | 10,470 SQ.FT. OR 4%       |
|       | REMOVAL OF NATURAL VEGETATION (LOD) | 2,400 SQ.FT. OR 1%        |
| LOT 4 | GROSS AREA                          | 5.682 Ac.±/247,506 SQ.FT. |
|       | IMPERMEABLE SURFACE COVERAGE        | 15,150 SQ.FT. OR 6%       |
|       | REMOVAL OF NATURAL VEGETATION (LOD) | 59,325 SQ.FT. OR 23%      |

DRC NUMBER: 051019E, DIST. 7C3 NOTE  
THE DEVELOPMENT REVIEW COMMITTEE HAS DETERMINED IN A LETTER DATED MAY 22, 2009 THAT THIS PROJECT MUST UTILIZE THE FULL DEVELOPMENT PROCESS.

### FOREST BUFFER & FOREST CONSERVATION EASEMENT NOTES

- THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT AND FOREST BUFFER & FOREST CONSERVATION EASEMENTS EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- ANY FOREST BUFFER EASEMENT AND FOREST BUFFER & FOREST CONSERVATION EASEMENTS SHOWN HEREON IS SUBJECT TO THE PROTECTIVE COVENANTS WHICH MAY BE FOUND AMONG THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

### AGRICULTURAL NOTE

ANY DWELLING MAY BE SUBJECT TO INCONVENIENCES OR DISCOMFORTS ARISING FROM AGRICULTURAL OPERATIONS, INCLUDING, BUT NOT LIMITED TO, NOISE, ODORS, PUNES, DUST, THE OPERATIONS OF MACHINERY OF ANY KIND DURING ANY 24 HOUR PERIOD (INCLUDING AIRCRAFT), THE STORAGE AND DISPOSAL OF MANURE, AND THE APPLICATION BY SPRAYING OR OTHERWISE OF CHEMICAL FERTILIZERS, SOIL AMENDMENTS, HERBICIDES AND PESTICIDES. THE COUNTY SHALL NOT CONSIDER AN AGRICULTURAL OPERATION TO BE A PUBLIC OR PRIVATE NUISANCE IF THE OPERATION COMPLIES WITH THESE REGULATIONS AND ALL FEDERAL, STATE, OR COUNTY HEALTH OR ENVIRONMENTAL REQUIREMENTS.

### LEGEND

|                      |   |
|----------------------|---|
| EXISTING WELL        | Δ |
| EXISTING CLEANOUT    | ○ |
| PASSED PERC. TEST    | ● |
| PROPOSED WELL AREA   | ⊗ |
| PROPOSED DWELLING    | ⊠ |
| EXISTING BUILDING    | □ |
| SOIL LINE            | — |
| WOODS LINE           | — |
| LIMIT OF WETLANDS    | — |
| LIMIT OF DISTURBANCE | — |
| EXISTING PAVING      | — |
| PROPOSED PAVING      | — |
| ZONING LINE          | — |
| PROPERTY LINE        | — |
| CONTOURS             | — |
| SLOPES 1:25%         | — |

### DEDICATION TABLE

| TYPE OF CONVEYANCE                            | NO. | TOTAL AREA (AC.±) |
|-----------------------------------------------|-----|-------------------|
| FOREST BUFFER & FOREST CONSERVATION EASEMENTS | 1   | 1,001 Ac.±        |
| STORMWATER MANAGEMENT EASEMENTS               | 2   | 0.191 Ac.±        |

\*\*NOTE: TOTAL AREAS SHOWN IN THIS TABLE ARE APPROXIMATE ONLY. REFER TO THE RECORD PLAT OR RIGHT OF WAY DRAWING FOR EXACT AREAS.

### SOIL TYPES & LIMITATIONS

| TYPE | SEPTIC FILTER FIELDS                                    | HOMESITES W/BASEMENT                       | STREETS & PARKING                          |
|------|---------------------------------------------------------|--------------------------------------------|--------------------------------------------|
| MbB2 | Slight                                                  | Slight                                     | Moderate: slope                            |
| MbC2 | Moderate: slope                                         | Moderate: slope                            | Severe: slope                              |
| GrB  | Severe: high water table; moderately slow permeability. | Severe: high water table                   | Severe: high water table                   |
| Hb   | Severe: high water table; flooding hazard.              | Severe: high water table; flooding hazard. | Severe: high water table; flooding hazard. |
| MbD9 | Severe: slope                                           | Severe: slope                              | Severe: slope                              |