IN RE: DEVELOPMENT PLAN HEARING AND PETITION FOR SPECIAL HEARING	*	BEFORE THE
	*	OFFICE OF
(McNEAL FARM PROPERTY) George J. & Louisa M. McNeal Owner/Developer	*	ADMINISTRATIVE HEARINGS
	*	FOR
	*	BALTIMORE COUNTY
	*	**HOH Case No. 14-487 and Zoning Case No. 2012-0329-SPH**

* * * * * * * *

ADMINISTRATIVE LAW JUDGE'S COMBINED ZONING AND DEVELOPMENT PLAN OPINION & ORDER

This matter comes before the Office of Administrative Hearings 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."). The hearing also involves a request for special hearing relief under the Baltimore County Zoning Regulations (B.C.Z.R.). George J. & Louisa M. McNeal, the developers of the subject property (hereinafter "the Developer"), submitted for approval a redlined Development Plan prepared by Little & Associates, Inc., known as "McNeal Farm Property."

The Developer proposes to construct 30 single-family detached units on 9.19 acres of land zoned DR 5.5. The site is located on existing Babikow Road in South Perry Hall. The site is developed with a farmstead consisting of a main structure, a circular drive and many accessory structures that are all proposed to be removed. The site is predominantly open with scattered vegetation.

In addition to the Hearing Officer's Hearing (HOH), the Developer is requesting certain zoning relief and has filed a Special Hearing request pursuant to § 260.2.D of the Baltimore County Zoning Regulations ("B.C.Z.R."), to:

1. Confirm that the subject property is not located north of Ridge Road and is therefore not subject to the 75′ minimum lot width required, and
2. In the alternative, if the Special Hearing is denied, request for a Deviation of Standards or Variance to allow 62′ minimum lot widths in lieu of the 75′ minimum lot width.

THE HOH

Details of the proposed development and the requested zoning relief are more fully depicted on the one-sheet Development Plan that was marked and accepted into evidence as Developer's Exhibit 1. The property was posted with the Notice of Hearing Officer's Hearing and Zoning Notice on August 26, 2012 for 20 working days prior to the hearing, in order to inform all interested citizens of the date and location of the hearing.

Appearing at the requisite Hearing Officer's Hearing in support of the Development Plan on behalf of the Developer and property owner was Steven Rosen, Paul Amirault, and G. Dwight Little, Jr., PE and Aaron Kensinger, both with Little & Associates, Inc., the consulting firm that prepared the site plan. Howard L. Alderman, Esquire with Levin & Gann, PA, appeared and represented the Developer.

Several citizens from the area also attended the hearing and objected to the proposal. The citizens' names are reflected on the sign-in sheets and they were represented by Leslie Pittler, Esquire.

Numerous representatives of the various Baltimore County agencies, who reviewed the Development Plan, also attended the hearing, including the following individuals from the Department of Permits and Development Management: Jan Cook (Project Manager), Dennis

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By RJ

Kennedy, Development Plans Review, Brad Knatz, Real Estate Compliance, and Jeffrey Perlow for Bruno Rudaitis (Office of Zoning Review). Also appearing on behalf of the County were David Lykens from the Department of Environmental Protection and Sustainability (DEPS), and Jenifer Nugent from the Department of Planning (DOP). 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.

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.

Pursuant to §§ 32-4-227 and 32-4-228 of the B.C.C., which regulate 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. At the hearing, each of the Baltimore County agency representatives identified above (with the exception of the DOP) indicated that the redlined Development Plan (marked as Developer's Exhibit 1) addressed any and all comments submitted by their agency, and they each recommended approval of the plan. Ms. Nugent, on behalf of DOP, indicated that her agency recommended denial of the plan and special hearing petition, given that the Developer

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By [initials]

failed to comply with the 75' lot width requirement contained in B.C.Z.R. § 260.

Dwight Little, Jr., a professional engineer who was accepted as an expert, was the Developer's sole witness. Mr. Little noted that the redlined notations on the Plan addressed each of the comments submitted at the Development Plan Conference (DPC) by County representatives. Mr. Little described most of the redlined notations as "mundane", and noted that other than the proposed lot width of 62' (as opposed to 75' if B.C.Z.R. § 260 were applicable), there were no unresolved issues. The witness testified the property is approximately 9.9 acres in size, which would allow for 54 single-family dwellings, even though the Developer is proposing only 30 lots in a loop configuration, as shown as Developer's Exhibit 1.

Mr. Little also addressed an issue concerning the proposed ingress/egress from Babikow Road. Several community members expressed concern with the sight distances, citing speeding vehicles and the heavy volume of traffic at present. Mr. Little stated that the Plan satisfied Baltimore County sight distance requirements (which was confirmed by Dennis Kennedy), and that in his opinion the proposed point of access is superior to the alternative proposed by the community, which would be situated near proposed Lots 1 and 2.

In conclusion, Mr. Little testified that in his opinion, the plan (Developer's Exhibit 1) complied with all applicable provisions of the B.C.C. and development regulations.

The Baltimore County Code provides that the "Hearing Officer shall grant approval of a development plan that complies with these development regulations and applicable policies, rules and regulations." B.C.C. § 32-4-229. At this juncture, I believe the Developer would be entitled to approval of the Development Plan, such approval being contingent upon the grant of special hearing relief, discussed below.

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Date 10-4-12

By _______

ZONING REQUEST – SPECIAL HEARING

In addition to the Development Plan approval, the Developer sought special hearing relief under the B.C.Z.R. As noted earlier, the Petition sought to determine the applicability, vel non, of the 75' lot width requirement set forth in B.C.Z.R. § 260. This issue, along with the ingress/egress at Babikow Road as discussed above, was of great concern to the community, and Ms. Winchester testified that the community association desired the lots to be 75' wide. Based upon the testimony and evidence presented, I will deny the request for special hearing relief.

The zoning issue in this case concerned whether or not B.C.Z.R. § 260.2.D was applicable to the project. That regulation provides in pertinent part as follows:

> The minimum width for any single-family detached lot located in the South Perry Hall – White Marsh Area north of Ridge Road is 75 feet as measured along both the front wall and rear wall of the dwelling unit.

B.C.Z.R. § 260.2.D (emphasis added).

While this would seem to be a straightforward and simple inquiry, it in fact is anything but.

As noted in the earlier portion of this Order, the Developer's engineer opined that the regulation was not applicable. Mr. Little, referencing a map marked as Petitioner's Exhibit 5, testified the site is east or northeast of Ridge Road, while the regulation in question applies only to properties "north" of Ridge Road.

But the DOP and the Office of People's Counsel both disagree, and contend that the site is "clearly" north of Ridge Road and is subject to the 75' width requirement. The DOP's recommendations were contained within its Zoning Advisory Committee (ZAC) comments dated July 30, 2012, wherein that agency recommended "that the petitioner not be granted any relief from the [Section 260] standards and regulations." Mr. Zimmerman submitted a letter dated August 21, 2012 (also contained within the zoning case file) wherein his office expressed the

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By [initials]

opinion that "the property in question is indeed north of Ridge Road … and is subject to … the minimum 75-foot width standards."

Based on a review of the various maps and exhibits submitted with regard to the issue (See Petitioner's Exhibits 2, 4, 5 & 8), it is apparent that the site is not "due north" of Ridge Road. But at the same time, the regulation does not contain such a requirement. Rather, as discussed in the engineer's testimony, the property is most accurately described as being northeast of Ridge Road. This task is complicated by the disjointed nature of Ridge Road, that according to witnesses historically ran for a much greater length before being interrupted by the I-95 highway. In any event, from the point where Ridge Road intersects Babikow Road, seen most clearly on Exhibits 4 and 5, the site is just east of the line drawn by the engineer to reflect due north from this intersection.

As such, I believe that the regulation is applicable to this development. Even if one adopts in its entirety Mr. Little's testimony, the result would be the same, because a location that is "northeast" of a point still uses north as the cardinal direction. Northeast (or northwest for that matter) is an intercardinal direction, and serves to further divide the headings on a compass. In fact, many compasses and other directional systems contain further divisional lines, such as NNE, NNW, ENE, ESE, etc. But the intricacies of such navigational systems are complex, and well beyond the ken of the undersigned, and most likely the legislative branch as well. Using the plain and ordinary meaning of the word "north", as I am obliged to do by B.C.Z.R. § 101, I believe that the site in question is north of Ridge Road, and that B.C.Z.R. § 260 D is applicable to the project. I am of the same opinion if one considers the site to be northeast of Ridge Road; as discussed above, the cardinal direction in such a scenario is still "north", and that brings the development within the scope of the regulation.

The Developer has requested, in the event the regulation was deemed applicable, a variance or deviation of standards to approve 62' lot widths. I will deny the request, as recommended by the DOP, and do so for two reasons. First, the 75 foot lot width requirement, as explained by Mr. Little, was contained in the 2001 South Perry Hall – White Marsh area plan, approved by the County Council in Resolution 48-01. _See_ Petitioner's Exhibit 1. This area plan was incorporated (by law, B.C.C. § 32-4-102) into Master Plan 2010. In a recent case, the court of appeals has held that development plans in Baltimore County must be in conformance with the master plan, and the opinion does not appear to provide for exceptions to its holding. _HNS v. People's Counsel,_ 425 Md. 436 (2012).

The other, and perhaps more important, reason for denying the relief is that the Developer cannot satisfy the requirements for such exceptions provided by B.C.Z.R. § 260.1. That regulation permits a "deviation" from the standards, but provides that the hearing officer must "consider the findings presented by the DOP … before a development plan is approved." B.C.Z.R. § 260.1.C.2. Here, the DOP recommended denial of the request. Additionally, the regulation provides that deviations of standards (here, the 75' lot requirement) shall be allowed only if "clearly necessary" to:

a. Comply with another standard;

b. Comply with environmental regulations or otherwise protect resources; or

c. Achieve the best possible development design, considering other goals in the Comprehensive Manual of Development Policies.

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Date 10-4-12

By [signature]

In this case, the engineer testified that the deviation was necessary so that the Developer could construct homes that would be compatible with the adjoining Springhouse Station subdivision. But this opinion was premised upon the fact that if the deviation was not granted, the Developer would then build duplex homes (permitted as of right) that would be incompatible with the adjoining single-family dwellings. While that is probably correct, the Developer could of course adhere to the standards and simply build fewer homes on the site. While I would imagine this would be an unpalatable choice, I at the same time do not believe the Developer has shown that the deviation of standards is "clearly necessary" in these circumstances.

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 McNeal Farm Property Development Plan shall be denied consistent with the comments contained herein.

THEREFORE, IT IS ORDERED by this Administrative Law Judge/Hearing Officer for Baltimore County, this 4th day of October, 2012, that the redlined **"McNEAL FARM PROPERTY"** Development Plan, marked and accepted into evidence as Developer's Exhibit 1, be and is hereby **DENIED**.

IT IS FURTHER ORDERED that the Petition for Special Hearing relief pursuant to § 260.2.D of the Baltimore County Zoning Regulations ("B.C.Z.R."), to:

1. Confirm that the subject property is not located north of Ridge Road and is therefore not subject to the 75′ minimum lot width required, and

2. In the alternative, if the Special Hearing is denied, request a Deviation of Standards or Variance to allow 62′ minimum lot widths in lieu of the 75′ minimum lot width,

be and are hereby **DENIED**.

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Date 10-4-12

By DW

Any appeal of this Order shall be taken in accordance with Baltimore County Code, § 32-4-281.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/dlw

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Date 10-4-12

By DW

KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

October 4, 2012

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

RE: **DEVELOPMENT PLAN HEARING AND PETITION FOR SPECIAL HEARING**
HOH Case No. 14-487 and Zoning Case No. 2012-0329-SPH
(McNeal Farm Property)

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

JEB

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Leslie M. Pittler, 25 Wandsworth Bridge Way, Lutherville, MD 21093

PE..TION FOR ZONING HEARI..G(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 7827 Babikow Road **which is presently zoned** DR - 5.5

Deed References: 993/320 10 Digit Tax Account # 1 4 1 3 0 7 4 3 7 5

Property Owner(s) Printed Name(s) George J. McNeal Jr. & Louisa M. McNeal

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. x **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

See Attached

2. ____ **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ____ **a Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: **(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)**

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above petition(s), 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.
Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

AMRO Developing, LLC - Steve Rosen
Name- Type or Print
Steven D. Rosen, Managing Member
Signature
3722 Birchmere Court | Owings Mills | MD
Mailing Address | City | State
21117 / 410-363-3228 / SDR20@aol.com
Zip Code | Telephone # | Email Address

Legal Owners (Petitioners):

George J. McNeal Jr. / Gerald V. Caldwell, Jr. Personal Representative for Estate of Louisa M. McNeal
Name #1 – Type or Print | Name #2 – Type or Print
Signature #1 | Signature # 2
7827 Babikow Road | Baltimore | MD
Mailing Address | City | State
21237 / 410-668-7742 / N/A
Zip Code | Telephone # | Email Address

Attorney for Petitioner:

Howard L. Alderman, Jr. Esq. - Levin & Gann, PA
Name- Type or Print
Signature
8th Floor, Nottingham Centre
502 Washington Avenue | Towson | MD
Mailing Address | City | State
21204 / 410-321-0600 / halderman@levingann.com
Zip Code | Telephone # | Email Address

Representative to be contacted:

G. Dwight Little, JR., P.E. - Little & Associates, Inc.
Name – Type or Print
D. Little
Signature
1055 Taylor Ave. Suite 307 | Towson | MD
Mailing Address | City | State
21286 / 410-296-1636 / DwightL@littleassociates.com
Zip Code | Telephone # | Email Address

CASE NUMBER 2012-0329-SPH **Filing Date** 6/26/12 **Do Not Schedule Dates:** ______ **Reviewer** KB

REV. 10/4/11

ORDER RECEIVED FOR FILING

Date 10-4-12

By DW

Attachment 1

Petition for Special Hearing

(Combined Hearing with Development Plan per Baltimore County Code § 32-4-230)

CASE NO: 2012-0329-SPH

Address: 7827 Babikow Road
Legal Owner: George J. McNeal & Louise M. McNeal
Present Zoning: DR – 5.5

Requested Relief:

A Special Hearing to confirm that the subject property is not located North of Ridge Road and is therefore not subject to the 75 foot minimum lot width required by Section 260.2.D of the Baltimore County Zoning Regulations.

In the alternative, if the Special Hearing is denied, we request a Deviation of Standards or Variance to allow 62 foot minimum lot widths in lieu of the 75 foot minimum lot width required by Section 260.2.D of the Baltimore County Zoning Regulations.

ZONING DESCRIPTION FOR
McNEAL FARM

Beginning at a point in the center of Babikow Road at the distance of 370 feet northeasterly from the centerline of Springhouse Circle which is 44 feet wide, thence **(1)** North 40 degrees 45 minutes 28 seconds East 803.83 feet; thence **(2)** North 43 degrees 36 minutes 57 seconds East 114.41 feet; thence **(3)** South 37 degrees 57 minutes 22 seconds East 597.13 feet; thence **(4)** South 51 degrees 05 minutes 40 seconds West 534.47 feet; thence **(5)** South 85 degrees 15 minutes 40 seconds West 147.03 feet; thence **(6)** South 84 degrees 21 minutes 30 seconds West 374.13 feet; and thence **(7)** North 12 degrees 28 minutes 30 seconds West 167.67 feet to the place of beginning. Containing 9.903 acres, more or less, as now surveyed, with the courses based on the Maryland State Coordinate System (NAD 83/91). Being the same land described among the Land Records of Baltimore County in Liber C.W.B., Jr. 993 folio 320 and being located in the 14th Election District, 6th Councilmanic District.

STATE OF MARYLAND
JAMES G. WIEST
No. 21390
PROFESSIONAL LAND SURVEYOR

Expiration Date: 02-05-2014

Item # 329

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

No. 84697

Date: 6/26/12

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				950.00

Total: 950.00

Rec From: GP Construction Co, Inc.

For: 2012-0329-SPH PDM # 140487
Combined with Developement
Hearing

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

PAID RECEIPT
BUSINESS ACTUAL TIME DRW
6/27/2012 6/26/2012 10:21:51 2
REG WS05 WALKIN DDHL DMD
RECEIPT # 623811 6/26/2012 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 084697
Recpt Tot $950.00
$950.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

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: 2012-0329-SPH

Petitioner: Geo + Louisa McNeal

Address or Location: 7827 Babikow Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: Steve Rosen AMRO-Developing LLC

Address: 3722 Birchmere Ct

Owings Mills

21117

Telephone Number: 410 363 3228

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 9, 2012 Issue - Jeffersonian

Please forward billing to:
Steve Rosen
AMRO Developing, LLC
3722 Birchmere Court
Owings Mills, MD 21117

410-363-3228

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2012-0329-SPH
7827 Babikow Road
SE/s of Babikow Road, 370 ft NE of centerline of Springhouse Circle
14th Election District – 6th Councilmanic District
Legal Owners: George McNeal Jr., Estate of Louisa McNeal
Contract Purchaser/Lessee: AMRO Developing, LLC

Special Hearing to confirm that the subject property is not located North of Ridge Road and is therefore not subject to the 75 foot minimum lot width required by Section 260.2.D of the BCZR. In the alternative, if the Special Hearing is denied, we request a Deviation of Standards or Variance to allow 62 foot minimum lot widths in lieu of the 75 ft. minimum lot width required.

Hearing: Thursday, August 30, 2012 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

CORRECTED NOTICE OF ZONING HEARING

The Administrative Law Judge 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: #2012-0329-SPH
7827 Babikow Road
SE/s of Babikow Road, 370 ft NE of centerline
of Springhouse Circle
14th Election District - 6th Councilmanic District
Legal Owner(s): George McNeal Jr., Estate of Louisa McNeal
Special Hearing: to confirm that the subject property is not located North of Ridge Road and is therefore not subject to the 75 foot minimum lot width required by Section 260.2.D of the BCZR. In the alternative, if the Special Hearing is denied, we request a Deviation of Standards or Variance to allow 62 foot minimum lot widths in lieu of the 75 ft. minimum lot width required.
Hearing: Thursday, September 27, 2012 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
09/007 September 6 872894

PATUXENT PUBLISHING COMPANY

501 N. Calvert Street, Baltimore, MD 21278

September 6, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, the publication appearing on September 6, 2012.

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

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson

CERTIFICATE OF POSTING

Date: 9-6-12

RE: Case Number: 2012-0329-SPH

Petitioner/Developer: GEO. M-NEAL

Date of Hearing/Closing: Sept 27, 2012 10 AM

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 Baltimore Rd

-12
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits, Approvals & Inspections

July 18, 2012

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0329-SPH
7827 Babikow Road
SE/s of Babikow Road, 370 ft NE of centerline of Springhouse Circle
14th Election District – 6th Councilmanic District
Legal Owners: George McNeal Jr., Estate of Louisa McNeal
Contract Purchaser/Lessee: AMRO Developing, LLC

Special Hearing to confirm that the subject property is not located North of Ridge Road and is therefore not subject to the 75 foot minimum lot width required by Section 260.2.D of the BCZR. In the alternative, if the Special Hearing is denied, we request a Deviation of Standards or Variance to allow 62 foot minimum lot widths in lieu of the 75 ft. minimum lot width required.

Hearing: Thursday, August 30, 2012 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Howard Aldmerman, Jr., 8th Fl., 502 Washington Ave., Towson 21204
Steve Rosen, 3722 Birchmere Court, Owings Mills 21117
George McNeal, Jr,, 7827 Babikow Road, Baltimore 21237
D. Dwight Little, 1055 Taylor Avenue, Ste. 307, Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, AUGUST 10, 2012.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, September 6, 2012 Issue - Jeffersonian

Please forward billing to:
Steve Rosen 410-363-3228
AMRO Developing, LLC
3722 Birchmere Court
Owings Mills, MD 21117

CORRECTED NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2012-0329-SPH
7827 Babikow Road
SE/s of Babikow Road, 370 ft NE of centerline of Springhouse Circle
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Contract Purchaser/Lessee: AMRO Developing, LLC

Special Hearing to confirm that the subject property is not located North of Ridge Road and is therefore not subject to the 75 foot minimum lot width required by Section 260.2.D of the BCZR. In the alternative, if the Special Hearing is denied, we request a Deviation of Standards or Variance to allow 62 foot minimum lot widths in lieu of the 75 ft. minimum lot width required.

Hearing: Thursday, September 27, 2012 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits, Approvals & Inspections

July 24, 2012

CORRECTED NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0329-SPH
7827 Babikow Road
SE/s of Babikow Road, 370 ft NE of centerline of Springhouse Circle
14th Election District – 6th Councilmanic District
Legal Owners: George McNeal Jr., Estate of Louisa McNeal
Contract Purchaser/Lessee: AMRO Developing, LLC

Special Hearing to confirm that the subject property is not located North of Ridge Road and is therefore not subject to the 75 foot minimum lot width required by Section 260.2.D of the BCZR. In the alternative, if the Special Hearing is denied, we request a Deviation of Standards or Variance to allow 62 foot minimum lot widths in lieu of the 75 ft. minimum lot width required.

Hearing: Thursday, September 27, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Howard Aldmerman, Jr., 8th Fl., 502 Washington Ave., Towson 21204
Steve Rosen, 3722 Birchmere Court, Owings Mills 21117
George McNeal, Jr,, 7827 Babikow Road, Baltimore 21237
D. Dwight Little, 1055 Taylor Avenue, Ste. 307, Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, SEPTEMBER 7, 2012.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING 7827 Babikow Road; SE/S Babikow Road, 370' NE of c/line Springhouse Circle 14th Election & 6th Councilmanic Districts Legal Owner(s): George McNeal & Estate of Louisa McNeal by Gerald Caldwell Contract Purchaser(s): AMRO Developing, LLC Petitioner(s)	* * * * *	BEFORE THE OFFICE OF ADMINSTRATIVE HEARINGS FOR BALTIMORE COUNTY 2012-329-SPH

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

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

RECEIVED
JUL 18 2012

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of July, 2012, a copy of the foregoing Entry of Appearance was mailed to Howard Alderman, Esquire, Levin & Gann, 502 Washington Avenue, 8th Floor, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

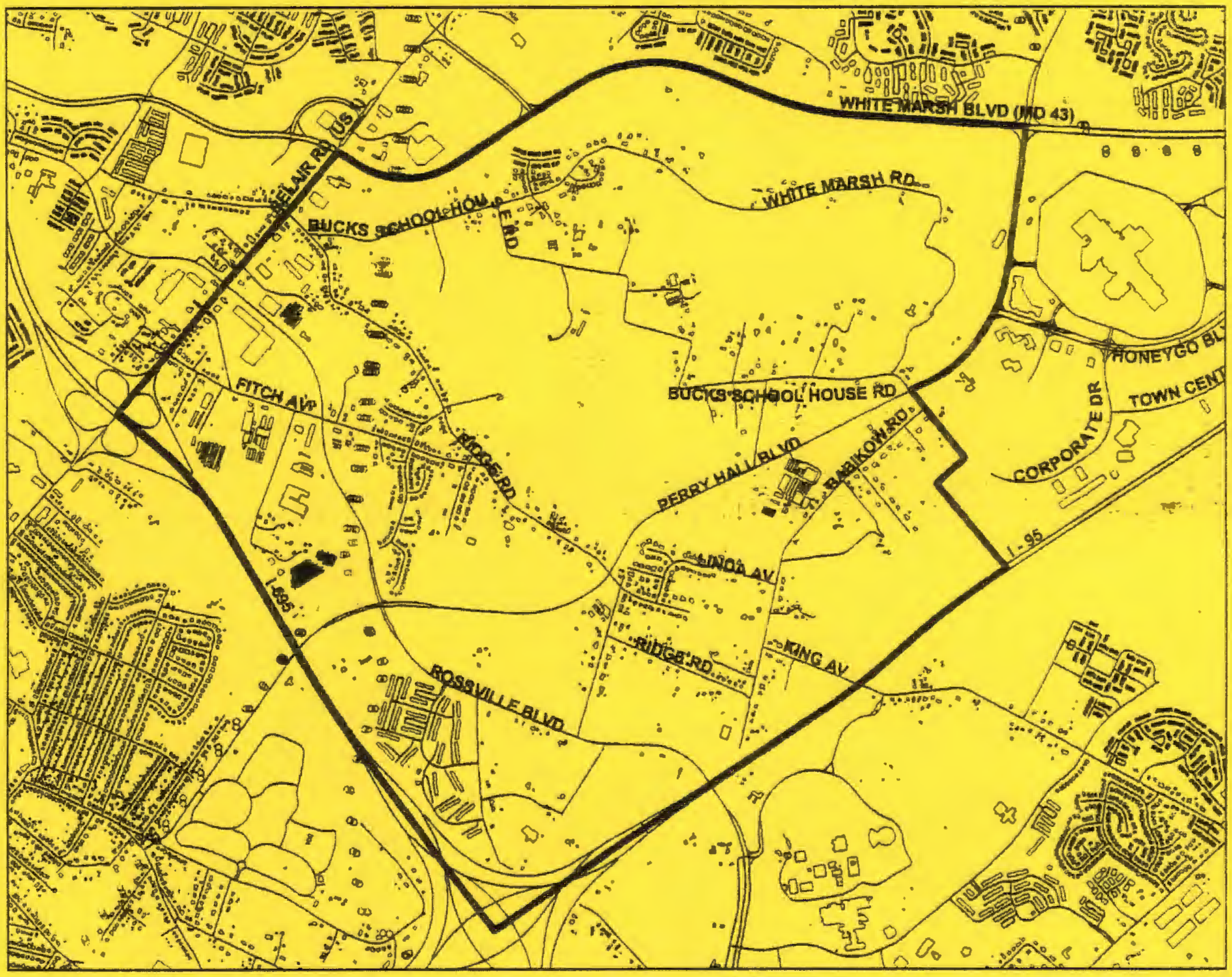
Case No.: 2012-329 - SPH

DW 11-7-12
DW 10-4-12

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	~~South Perry Hall~~ area Plan	
No. 2	Ridge Rd - Exhibit	
No. 3	Dev. Plan	
No. 4	McNeal Farm Exhibit	
No. 5	Area Plan Exhibit	
No. 6	Page C-2 South Perry Hall Area Plan	
No. 7	Page C-14 South Perry Hall Area Plan	
No. 8	CZMP "My Neighborhood" Map	
No. 9	Log of Zoning Issues, p. 3	
No. 10	Log of Zoning Issues, p. 9	
No. 11	Springhouse Station Plat 1	
No. 12	Springhouse Station Plat 2	

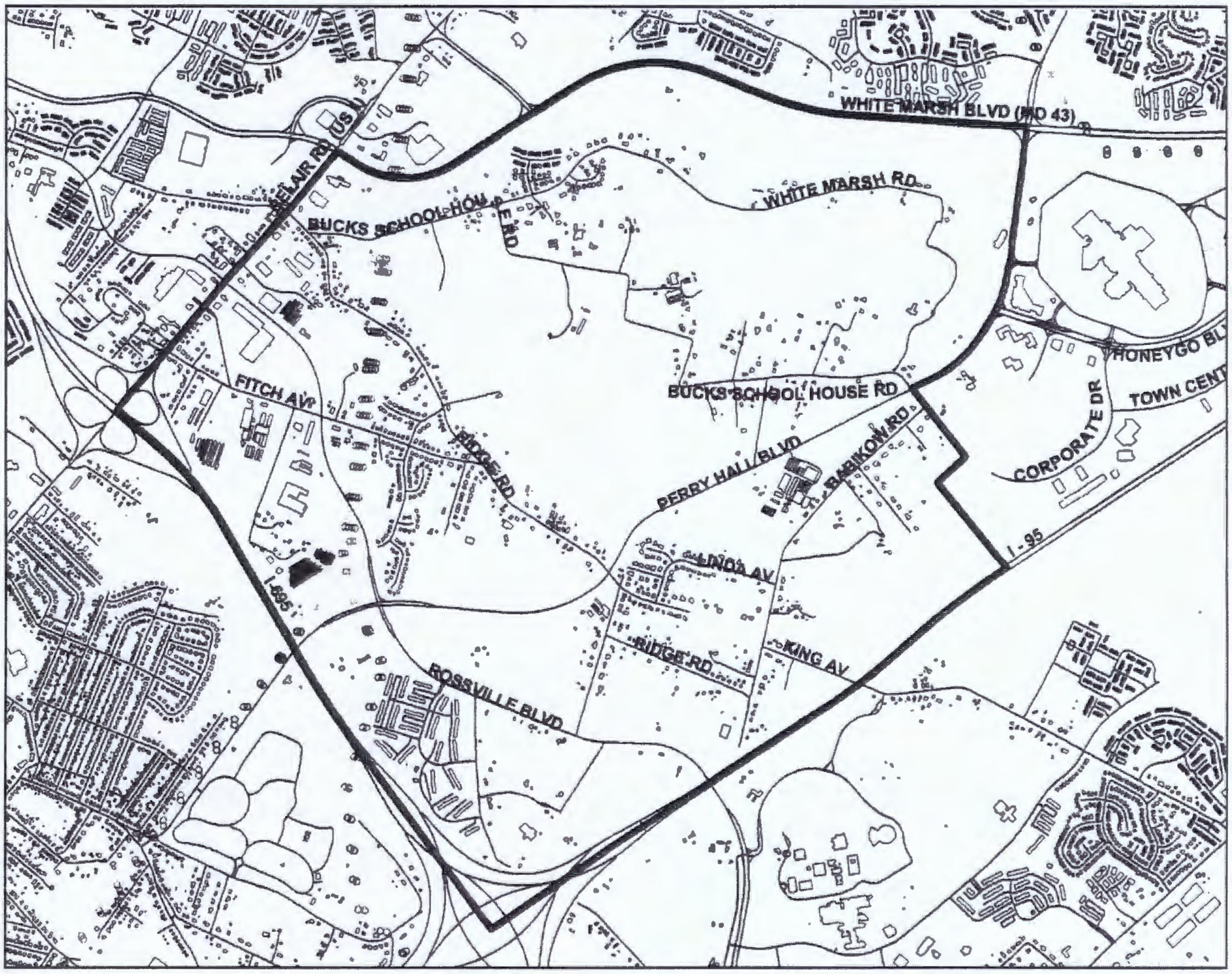
South Perry Hall - White Marsh Area Plan



As Adopted by the Baltimore County Council
May 7, 2001
And Amended December 1, 2008

ALL-STATE LEGAL®
PETITIONER'S EXHIBIT
1

South Perry Hall - White Marsh Area Plan



As Adopted by the Baltimore County Council
May 7, 2001
And Amended December 1, 2008

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2008, Legislative Day No. 20

Resolution No. 99-08

Mr. Joseph Bartenfelder, Councilman

By the County Council, November 17, 2008

A RESOLUTION of the Baltimore County Council to amend the South Perry Hall-White Marsh Area Plan.

WHEREAS, the Baltimore County Council adopted the Baltimore County Master Plan 2010 on February 22, 2000; and

WHEREAS, on May 7, 2001, the County Council adopted the South Perry Hall-White Marsh Area Plan as part of the Baltimore County Master Plan 2010 to be a guide for the development of the South Perry Hall-White Marsh area, "subject to further modifications deemed advisable by the County Council" (Res. 48-01); and

WHEREAS, the County Council now deems it advisable that additional language be included in the South Perry Hall-White Marsh Area Plan relating to how Section 32-4-402 of the Baltimore County Code is applied to properties within this area of the County. The language to be included in the Area Plan is intended to provide a clear delineation between the commercial/industrial areas to the south and west of Rossville Boulevard and the single family detached residential and single family attached areas to the north and east of Rossville Boulevard and dictates that these areas are not to be considered within the same neighborhood for purposes of making compatibility findings under Section 32-4-402 of the Baltimore County Code.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the South Perry Hall-White Marsh Area Plan and the proposed amendment, a copy of which amendment is attached hereto and made part hereof, be and it is hereby adopted and incorporated into the Baltimore County Master Plan 2010, subject to such further modifications as deemed advisable by the County Council.

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2001, Legislative Day No. 8

Resolution No. 48-01

Mr. Joseph Bartenfelder, Councilman

By the County Council, April 16, 2001

A RESOLUTION of the Baltimore County Council to adopt the South Perry Hall-White Marsh Area Plan as part of the Baltimore County Master Plan 2010.

WHEREAS, the Baltimore County Council adopted the Baltimore County Master Plan 2010 on February 22, 2000; and

WHEREAS, Council Resolution 102-99 asked the Planning Board to prepare a South Perry Hall-White Marsh Area Plan; and

WHEREAS, the Office of Planning, in conjunction with the South Perry Hall-White Marsh Advisory Committee, prepared a draft plan for submission to the Planning Board; and

WHEREAS, the Planning Board held a public hearing on the proposed plan on October 5, 2000 and adopted the plan, with revisions on January 18, 2001; and

WHEREAS, the plan and revisions (dated January 23, 2001) were sent to the County Council on January 31, 2001 for review; and

WHEREAS, the County Council held a public hearing on the proposed South Perry Hall-White Marsh Area Plan on March 5, 2001; now, therefore

BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the South Perry Hall-White Marsh Area Plan and revisions thereto dated

South Perry Hall-White Marsh Area Plan

May 2001

Adopted May 7, 2001 by the
Baltimore County Council

Published by the Baltimore County
Office of Planning
County Courts Building, Room 406
Towson, Maryland 21204

Printed by Central Printing
Baltimore County Office of Information Technology

Table of Contents

Introduction

This report constitutes a plan for South Perry Hall-White Marsh. The plan was prepared in response to County Council Resolution 102-99 (see Appendix A). The South Perry Hall-White Marsh Advisory Committee played an important role in developing the recommendations contained in this report.

The South Perry Hall-White Marsh Planning Area is located in northeast Baltimore County. It has an approximate total size of 1,894 acres, or three square miles. The planning area is bounded generally by Belair Road on the west, White Marsh Boulevard on the north, Perry Hall Boulevard and I-95 on the east, and I-695 on the south (see Figure 1).

This report contains two basic parts. The first part provides a framework of background information. The second part provides a vision statement and recommendations on land use, zoning, roads, residential performance standards, and the restoration of White Marsh Run.

The recommendations presented herein are intended to supplement and amend Baltimore County Master Plan 2010.

Background Information

A. EXISTING LAND USE

The planning area contains a diverse mix of land uses. Table 1 shows the approximate acreage of the various land use categories and their percentage of the total planning area. Figure 2 shows the existing land use pattern.

Undeveloped land accounts for 945 acres of land in the planning area, or 50 percent. Approximately 531 acres of the undeveloped land are vacant, idle, or agricultural. Another 167 acres are presently undeveloped, but are planned for residential development. The proposed subdivisions are located primarily along White Marsh Road and near the intersection of Perry Hall Boulevard and Rossville Boulevard. Additionally, 247 acres of the undeveloped land are owned by the City of Baltimore and Baltimore County, and are intended for the development of the Fullerton Reservoir.

Residential uses occupy 480 acres of land in the planning area, or 25 percent. Single family detached dwellings are located throughout the planning area and are by far the most prevalent form of residential development, occupying 427 acres. Many of the single family dwellings in the study area are located along Ridge Road and the easternmost segment of Fitch Avenue. Residential subdivisions that are accessed from the stated roadways include Hickory Hollow, Clover Heights, Perry Place, and Hilltop.

Single family attached dwellings and multi-family housing occupy 3 and 50 acres of land in the planning area, respectively. All of the single family attached dwellings are located in Timberbrooke, which is situated on the north side of White Marsh Road. There are 50 townhouses in Timberbrooke. All of the multi-family housing is located in the Town and Country Apartments complex, which is situated on the southwest side of Rossville Boulevard. There are 692 units in the Town and Country Apartments development.

The majority of the housing in the planning area has been constructed since 1960. There are, however, dwellings along Ridge Road and Babikow Road that date from as far back as the 1920s. Virtually all of the existing housing stock appears to be in good condition.

Institutional uses occupy 91 acres of land in the planning area, or 5 percent. The holdings of two organizations, the YMCA and the Boumi Temple, account for slightly more than half of the acreage in the institutional land use category. Other institutional uses within the study area include four churches, a cemetery, the police station for Precinct 9, a fire station, the 14th District Shop of the Baltimore County Department of Public Works, and a water maintenance facility owned by the City of Baltimore. The institutional uses are located throughout the planning area.

White Marsh Road. Smaller tracts of DR-5.5 exist in close proximity to I-695, Belair Road, I-95, and White Marsh Boulevard. Generally, the DR-5.5 land is undeveloped or underdeveloped. DR-5.5 allows for single family detached and semi-detached dwellings, duplexes, single family attached dwellings, and multi-family dwellings at a density of 5.5 units per acre. Proposed single family attached and multi-family developments must meet finding of compatibility standards.

DR-10.5 is the zoning classification of 53 acres of land in the planning area, or 3 percent. The DR-10.5 land is concentrated in two areas, one of which has been developed as the Town and Country Apartments. The other area of DR-10.5 land is located at the southwest intersection of Perry Hall Boulevard and White Marsh Boulevard. This property is presently unimproved.

The DR-16 zoning classification applies to 40 acres of land in the planning area, or 2 percent. The DR-16 land is concentrated in two areas, both of which abut I-695. One of the areas has been developed as the Town and Country Apartments. The other area is currently occupied by two single family dwellings that are accessed from Fitch Avenue. Both DR-10.5 and DR-16 permit the development of single family detached and semi-detached dwellings, duplexes, single family attached dwellings, and multi-family dwellings.

RAE-1 is the zoning classification of 31 acres of land in the planning area, or 2 percent. The RAE-1 land begins at the intersection of Perry Hall Boulevard and Bucks School House Road, and extends in a northeasterly direction along Perry Hall Boulevard. The police station for Precinct 9 and two single family dwellings that are accessed from Bucks School House Road are located on the property. The RAE-1 zoning classification allows for the development of elevator apartments at a density of 40 units per acre.

Industrial zoning classifications apply to 135 acres of land in the planning area, or 6 percent. ML-IM is the most prevalent industrial zoning classification, as it applies to 115 acres. Much of the ML-IM land is located on the south side of Fitch Avenue between I-695 and Rossville Boulevard, and has been developed. The ML-IM zoning classification allows for a wide range of industrial activities.

MLR is the zoning classification of 19 acres of land in the planning area, or 1 percent. Most of the MLR property abuts the aforementioned ML-IM property at Fitch Avenue and extends north toward Ridge Road. The MLR zoning classification is more restrictive than the ML classification, and is intended to provide a transition between residential areas and ML and MH zones.

Commercial and office zoning classifications apply to 118 acres of land in the planning area, or 6 percent. BR is the most prevalent commercial zoning classification, as it applies to 87 acres. The BR land is located along Belair Road and along the segment of Rossville Boulevard that extends from Belair Road to Fitch Avenue. Most of the BR land has been developed. The BR zoning classification is the least restrictive of the commercial zones, allowing for both commercial and quasi-industrial uses.

The AS district, which allows for automobile oriented uses such as fuel service stations and car wash operations, applies to 7 acres of the BR land. All of the BR-AS property is located along

D. PUBLIC WATER AND SEWER SERVICE

The entire planning area is served by the metropolitan water and sanitary sewer systems. There are no known constraints that will prevent the provision of water and sewer services to future development in the area.

A major water purification facility is planned for the Fullerton Reservoir site. The reservoir property has a total area of 247 acres and is comprised of parcels that were purchased in the 1950s by the City of Baltimore and Baltimore County. Generally, the property is bounded by Ridge Road to the west, Bucks School House Road to the north and east, and Perry Hall Boulevard to the south.

Development of the reservoir complex is planned to occur in three phases. Phase 1, which has been completed, consisted of the installation of a pump station and the Susquehanna raw water transmission main. The pump station is located immediately north of Perry Hall Boulevard, and the transmission main is located north of the pump station and traverses the site from east to west.

Phase 2 will consist of the construction of two 20-million-gallon water storage tanks. Both of the storage tanks will contain finished (treated) water and, therefore, be covered per Maryland law. The water tanks will be circular, with each tank having a diameter of approximately 312 feet and a height of approximately 35 feet. It is expected that construction of the water tanks will commence in the fall of 2002 and be completed in the summer of 2005. For functional reasons the tanks will be located on the highest point on the property, which is just north of the raw water transmission main. The water tanks are expected to be at least partially visible from Ridge Road, Bucks School House Road, and Perry Hall Boulevard.

Phase 3 will consist of the construction of a water treatment facility. The City of Baltimore will be responsible for the development, operation, and maintenance of the facility. At this time, the exact location of the treatment facility has not been determined.

E. PUBLIC SCHOOLS

The planning area is served by the following Baltimore County public schools: Fullerton Elementary School, Elmwood Elementary School, Parkville Middle School, and Overlea High School. None of these schools are located within the planning area.

None of the schools are presently operating over capacity, and none are projected to operate over capacity for the years 2000 through 2009 (see Tables 3 and 4).

The Board of Education owns a 19.2-acre site at the northeast corner of Gumspring Road and Rossville Boulevard, which is known as the Ridge Road Elementary School site.

G. ROAD NETWORK

1. Functional Road Classification

The 1992 Federal Highway Functional Classification Map for the Baltimore Urbanized Area classifies roads as principal arterials, minor arterials, collectors, and local roads.

Principal arterials link large population or employment centers. They are intercounty or interstate oriented and accommodate long travel lengths. These roadways can be stratified into the following subclasses: (1) interstate, (2) other freeways and expressways, and (3) other principal arterials (with partial or no control of access).

Roads within or bordering the planning area that are classified as principal arterials are:

- I-95 (interstate)
- I-695 (interstate)
- White Marsh Boulevard (freeway-expressway)
- Belair Road (other principal arterial)

Minor arterials provide a lower level of mobility while placing more of an emphasis on land access than principal arterials. These roadways typically provide a link to the collector roadway system, but ideally they do not penetrate identifiable residential neighborhoods.

Minor arterials within the planning area include:

- Rossville Boulevard
- Perry Hall Boulevard
- Lillian Holt Drive

Collectors provide for both land access and traffic circulation within residential, commercial, and industrial areas. Collector roads may provide service to important traffic generators such as schools and parks.

The following roads in the planning area are classified as collectors:

- Fitch Avenue (between Rossville Boulevard and Ridge Road)
- Ridge Road (between Fitch Avenue and Babikow Road)
- Babikow Road (between Ridge Road and King Avenue)
- King Avenue (between Babikow Road and I-95)
- Gumspring Road (between Ridge Road and Rossville Boulevard)

All other roads in the planning area are classified as local. Local roads serve to provide direct access to individual land uses.

2. Level of Service at Signalized Intersections

Level of service (LOS) is a means of quantifying traffic flow by assigning letter grades A through F to a given location. LOS A is ideal. LOS D, though not optimal, is considered a minimum range of operations drivers will accept. Operations with unacceptable delays and

H. STRENGTHS, WEAKNESSES, OPPORTUNITIES, AND THREATS

The South Perry Hall-White Marsh Advisory Committee identified the planning area's strengths, weaknesses, opportunities, and threats. A *strength* is defined as a resource, advantage, or asset the area may possess. Strengths include characteristics or things that are liked about the area. A *weakness* is an inadequacy or things that are disliked about the area. An *opportunity* is a situation that can be potentially advantageous to the area. A *threat* is a potential problem that could negatively impact the area.

1. Strengths

- Many older single-family detached homes on large lots
- Safe and attractive neighborhoods
- Good balance of land uses (i.e., residential, commercial, industrial, open space)
- Good access to surrounding areas (i.e., convenient location)
- Proximity to several major public service uses and shopping areas (e.g., White Marsh Library, Franklin Square Hospital, Essex Community College, White Marsh Mall, "The Avenue", and Nottingham Square)

2. Weaknesses

- Numerous poor conditions on secondary roads (e.g., narrow roads, lack of curbs, inadequate shoulders, poor sight lines, poor road surface conditions)
- Severe lack of recreational facilities
- Relatively new residential developments are crowded (i.e., the lots are too small for single family detached houses)
- Flooding and storm water drainage problems in Hickory Hollow, the southern part of the planning area, and the White Marsh Road area
- Perry Hall Boulevard has only two lanes from Rossville Boulevard to Honeygo Boulevard

3. Opportunities

- Land is potentially available for the development of recreational facilities
- The Fullerton Reservoir site has potential use for active and passive recreation
- Better regulation of new residential development to ensure that it is compatible with existing, older residential development

4. Threats

- Overcrowded schools will result from excessive residential growth
- Loss of woodlands and wildlife habitat from development
- Existing roads will be unable to adequately handle traffic from future development
- DR-3.5 and DR-5.5 zoning allows overdevelopment
- Additional development of townhouses, garden apartments, and small-lot single family detached dwellings

Figure 2

South Perry Hall - White Marsh Plan Area: Existing Land Use

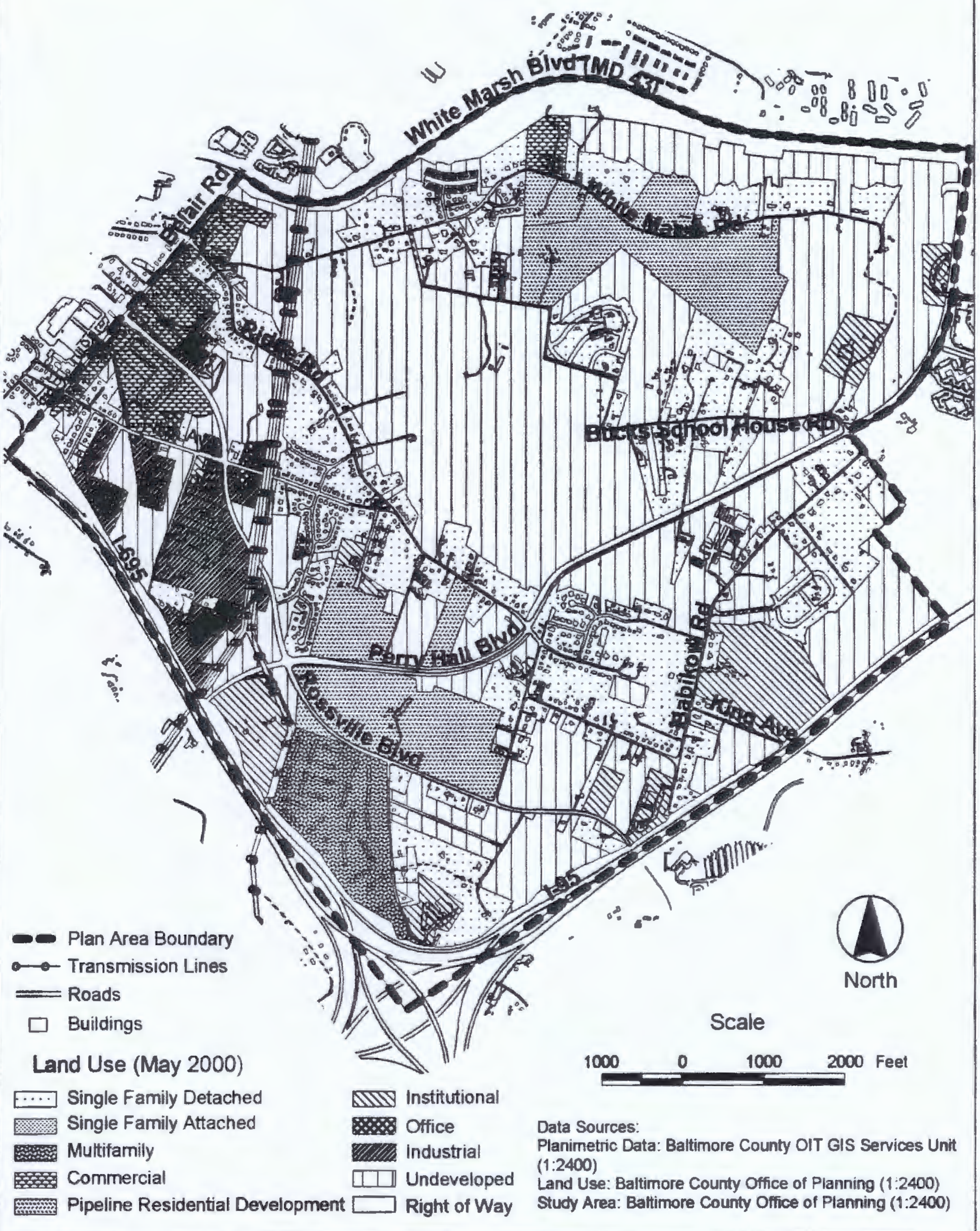


Figure 3

South Perry Hall - White Marsh Plan Area: Existing Zoning (May 2000)

Table 5 Level of Service at Signalized Intersections South Perry Hall-White Marsh Planning Area		
Intersection	Level of Service	Date
Belair Rd/Putty Hill Ave/Ridge Rd	A	7/07/97
Belair Rd/Rossville Blvd	C	2/24/00
Rossville Blvd/Fitch Ave	A	11/15/99
Perry Hall Blvd/Honeygo Blvd.	A	3/19/98
Perry Hall Blvd/Rossville Blvd/Lillian Holt Dr	B	8/29/96
Perry Hall Blvd/Ridge Rd	A	3/02/98
Perry Hall Blvd/White Marsh Blvd	B	10/27/97
Perry Hall Blvd/White Marsh Mall Entrance	A	1/29/98
Source: Baltimore County Bureau of Traffic Engineering, March 2000		

The **institutional** designation reflects the locations of existing and future institutional uses.

Stream system open space represents areas where development is not suited. These areas consist of land that is located in a 100-year floodplain, wetlands, and stream buffers.

The Land Use Plan map shows potential locations for neighborhood or community parks. It also shows a potential golf driving range on the Fullerton Reservoir site. The county should work with the City of Baltimore to explore the possible use of the Fullerton Reservoir site for recreational purposes. Development of passive and active recreation facilities on the reservoir property should be considered to help meet recreational needs.

C. ZONING MAP AMENDMENTS

Recommended zoning map amendments are presented in Table 6 and Appendix C. These changes are intended to bring the zoning map into general conformance with the Land Use Plan map. A total of 307.5 acres are proposed for rezoning.

The recommended zoning map amendments should be enacted concurrent with the adoption of this plan. A Comprehensive Zoning Map Process Log of Issues can be found in Appendix D.

D. ROAD NETWORK

All major roads within the planning area are classified on the Land Use Plan map according to how they are expected to function in the future. A brief description of each road category can be found in Part G.1 of the Background Information.

The future road system will include the following arterials:

- I-95 (interstate)
- I-695 (interstate)
- White Marsh Boulevard (freeway-expressway)
- Belair Road (other principal arterial)
- Rossville Boulevard (minor arterial)
- Perry Hall Boulevard (minor arterial)
- Lillian Holt Drive (minor arterial)

The following roads will function as collectors:

- Fitch Avenue (between Rossville Boulevard and Ridge Road)
- Ridge Road
- Babikow Road (between Ridge Road and Bucks School House Road)
- King Avenue (between Babikow Road and I-95)
- Bucks School House Road
- White Marsh Road

proposed improvements and recommend which projects shall be included in Baltimore County's Six-Year Capital Improvements Program. The TMP shall also recommend appropriate restrictions, if any, on the issuance of building permits until all hazardous conditions are eliminated.

Resurface Ridge Road from Belair Road to Perry Hall Boulevard. Repair the failing storm drain system along this road.

E. RESIDENTIAL PERFORMANCE STANDARDS

See Appendix E.

F. WHITE MARSH RUN STREAM RESTORATION

As part of the Bird River Watershed Project, The Baltimore County Department of Environmental Protection and Resource Management (DEPRM) has initiated an effort to identify areas of significant stream degradation along the White Marsh Run. During the late 1990s several reaches were evaluated and prioritized for restoration, one of which is the Mainstem of White Marsh Run, including the stream segments adjacent to White Marsh Road and MD 43.

The length of White Marsh Run in the planning area is approximately one mile. This portion of stream contains severely eroding and unstable banks affecting the vegetative cover, stream morphology, and flow regimes. DEPRM has identified this as a priority project for stream assessment, design, and future restoration. The feasibility assessment and design for this project, including permits, will take two years. The construction of targeted reaches is anticipated in spring 2003. Restoration measures will include the rehabilitation of eroding banks with natural stabilization techniques and adjustments to the channel alignment.

Table 6
Recommended Zoning Map Amendments
South Perry Hall-White Marsh Planning Area

Item No. *	Location	Total Acres	Existing Zoning	Proposed Zoning	Comments
1	West of Perry Hall Blvd and south of White Marsh Blvd	283.6	DR 5.5, DR 10.5, RAE 1, BM	Same as existing zoning	This area is designated as Single Family Detached Residential on the Land Use Plan map.
2	West side of I-95, south of Perry Hall Blvd to south of Rossville Blvd	159.5	DR 5.5, DR 3.5	Same as existing zoning	This area is designated as Single Family Detached Residential on the Land Use Plan map.
3	East side of Gilley Terrace	11.8	DR 5.5	Same as existing zoning	This area is designated as Single Family Detached Residential on the Land Use Plan map.
4	West side of Perry Hall Blvd, north of Bucks School House Rd	25.2	RAE 1, DR 5.5	Same as existing zoning	
5	North side of White Marsh Blvd, south of Vollmert Ave	13.5	BM	DR 3.5	
6	Between White Marsh Blvd and White Marsh Run, west of Pine Valley Swim and Tennis Club	15.6	DR 5.5	Same as existing zoning	
7	Northwest corner of Rossville Blvd and Lillian Holt Dr	11.3	DR 5.5	ML-IM	The ML-IM classification is consistent with the surrounding zoning north of Lillian Holt Dr and west of Rossville Blvd.
8	East side of Rossville Blvd, north of Fitch Ave	17.5	BR	Same as existing zoning	
9	North side of Fitch Ave, west of Rossville Blvd	1.6	BR	Same as existing zoning	
10	South of Ridge Rd and north of Rossville Blvd	2.9	MLR-IM	DR 3.5	The use of these properties is single family detached residential.

Appendix A

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 1999, Legislative Day No. 23

Resolution No. 102-99

Mr. Joseph Bartenfelder, Councilman

By the County Council December 20, 1999

A RESOLUTION of the Baltimore County Council requesting the Planning Board to prepare a South Perry Hall/White Marsh Area Plan.

WHEREAS, the Baltimore County Master Plan recognizes that detailed planning, coordination of facilities, and phasing of utilities and residential development are needed to ensure that the remaining areas of Baltimore County which are zoned for residential development are developed in a manner that makes these areas desirable places to live and work; and

WHEREAS, the County Council finds that the South Perry Hall/White Marsh area is unique, and that the piecemeal approval of residential development plans for this area will impede the County's ability to achieve its objectives in a manner consistent with the Master Plan and the County's land use policies; and

WHEREAS, the County Council believes that further evaluation, review, and public input are necessary to prepare, consider, and adopt a Plan for the reasonable development of unimproved, residentially-zoned properties in the South Perry Hall/White Marsh area of the Sixth Councilmanic District consistent with the Master Plan and in the best interest of the public; and

WHEREAS, the County Council is desirous of approving and implementing a Plan for the South Perry Hall/White Marsh area which is modeled upon the Honeygo Plan.

Appendix B

Summary of Advisory Committee Survey Results

The following is a summary of the results of a survey completed by members of the South Perry Hall-White Marsh Plan Advisory Committee in April 2000.

Present Land Use or Zoning Issues

- The minimal amount of land set aside by developers for recreation will not accommodate new development.
- The forest replacement that ensues after the completion of new development is poor in equality.
- Land or money should be set aside by developers to accommodate future expenses resulting from the additional residential development.
- Existing forests should be maintained to buffer the increasing noise from area roadways.
- Properties along Perry Hall Boulevard in the vicinity of White Marsh Mall should be rezoned to prevent the dense development of residences and commercial establishments.
- Parcels along Rossville Boulevard and Perry Hall Boulevard should be downzoned such that the existing character of the area is maintained for current residents.
- Zoning density should be based on developable acreage only. Environmentally constrained areas should be excluded.

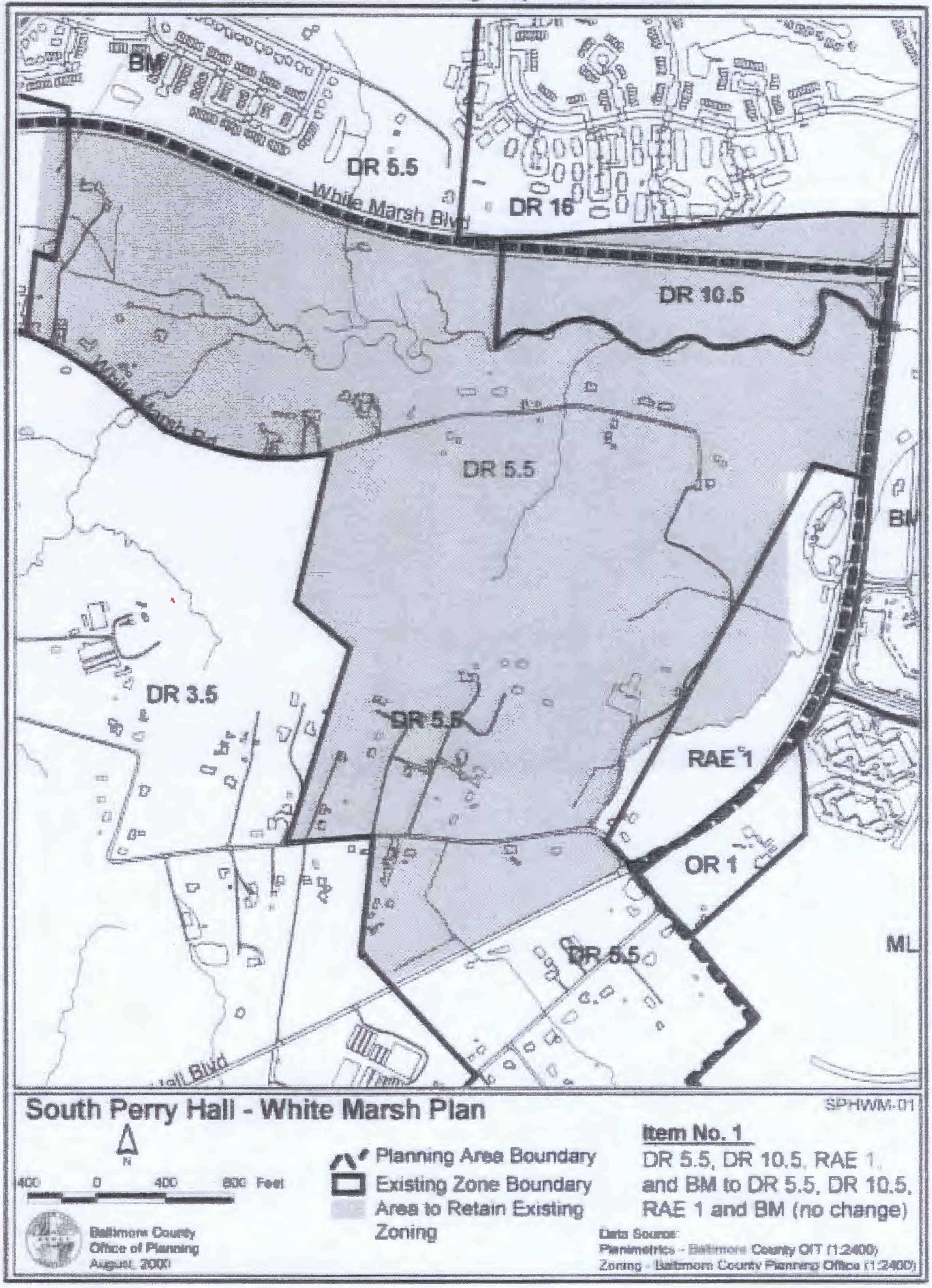
Future Development Suggestions

- Multi-family and townhouse development are not recommended.
- Senior housing is suggested for the property on Bucks School House Road presently owned by St. Peters Church, the property at the corner of Gumspring Road and Rossville Boulevard (the Ridge Road Elementary School site), and property near White Marsh Mall or Belair Road. The latter two sites are desirable because of their close proximity to commercial establishments.
- Parks and recreation facilities are suggested for property on Perry Hall Boulevard between Rossville Boulevard and Ridge Road, undeveloped parcels on Bucks School House Road and White Marsh Road, the property between White Marsh Mall and Boumi Temple, portions of the Fullerton Reservoir site, and the Ridge Road Elementary School site.

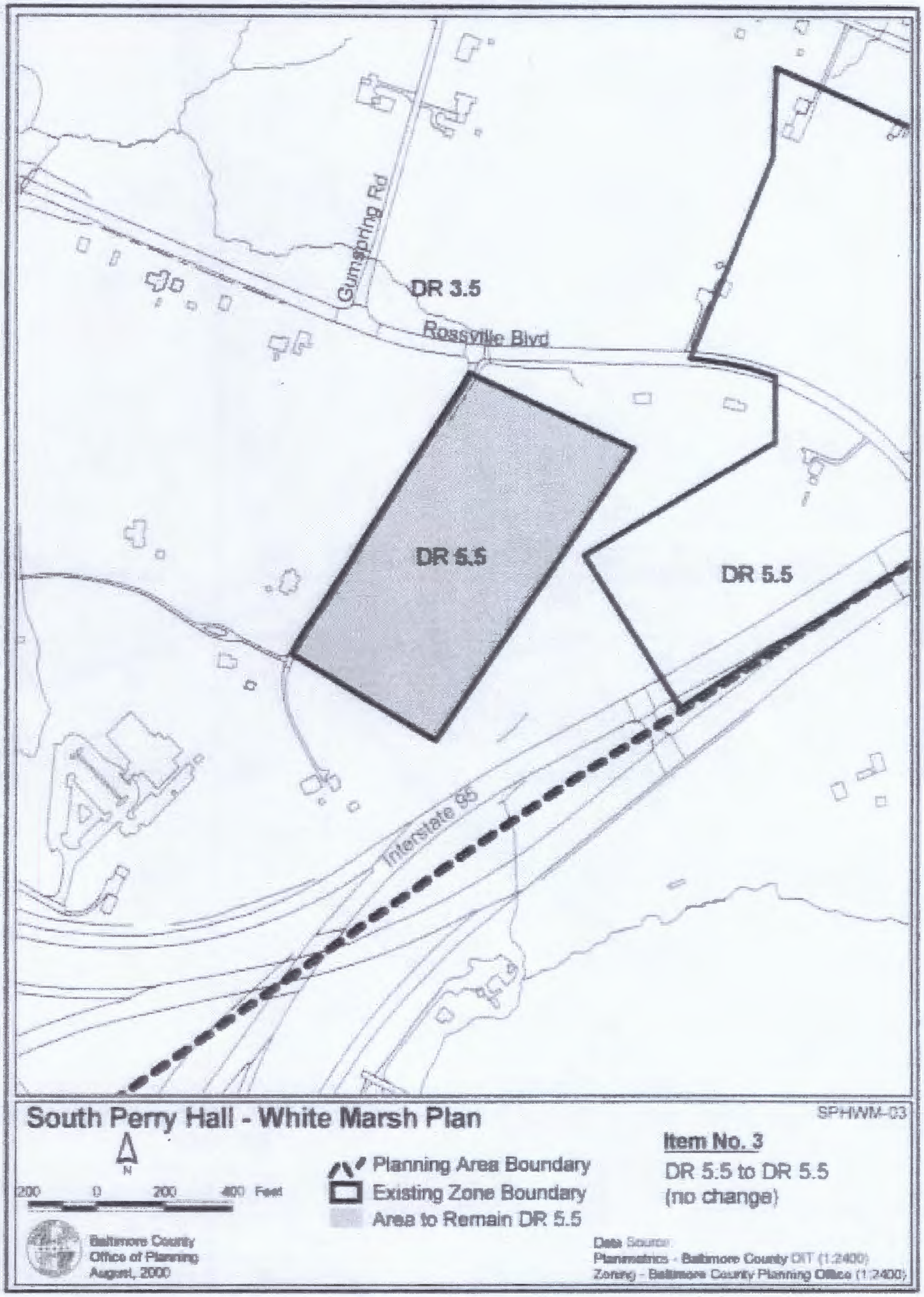
Transportation Issues

- Roads in the study area are without sidewalks and curbing.
- New development will have a negative impact on traffic flow.
- Roads in the study area need to be resurfaced, widened, and straightened in certain locations.
- Traffic studies for the area should be revised to reflect the seasonal traffic generated by White Marsh Mall.

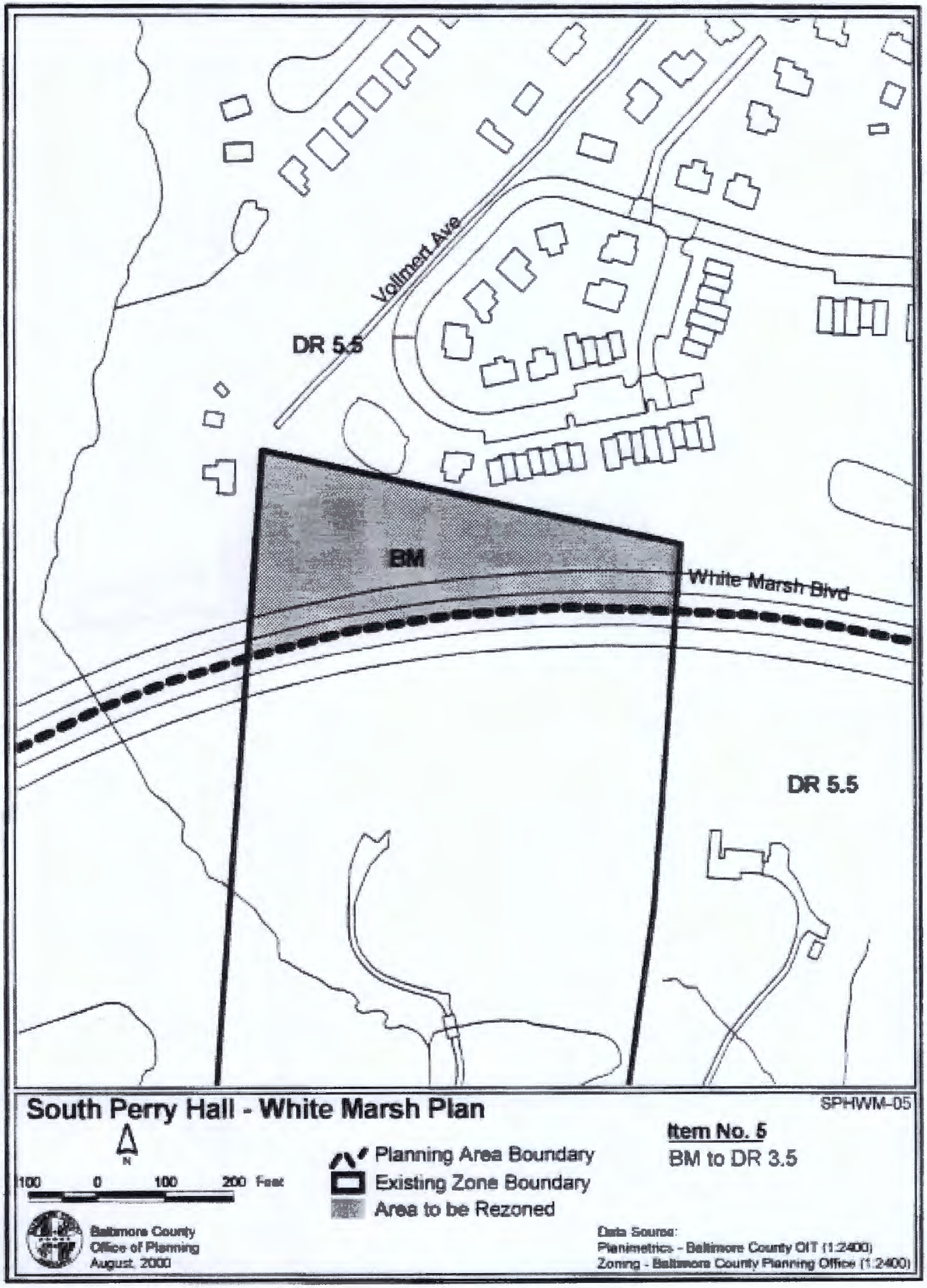
Appendix C
Recommended Zoning Map Amendments



Appendix C (continued)



Appendix C (continued)



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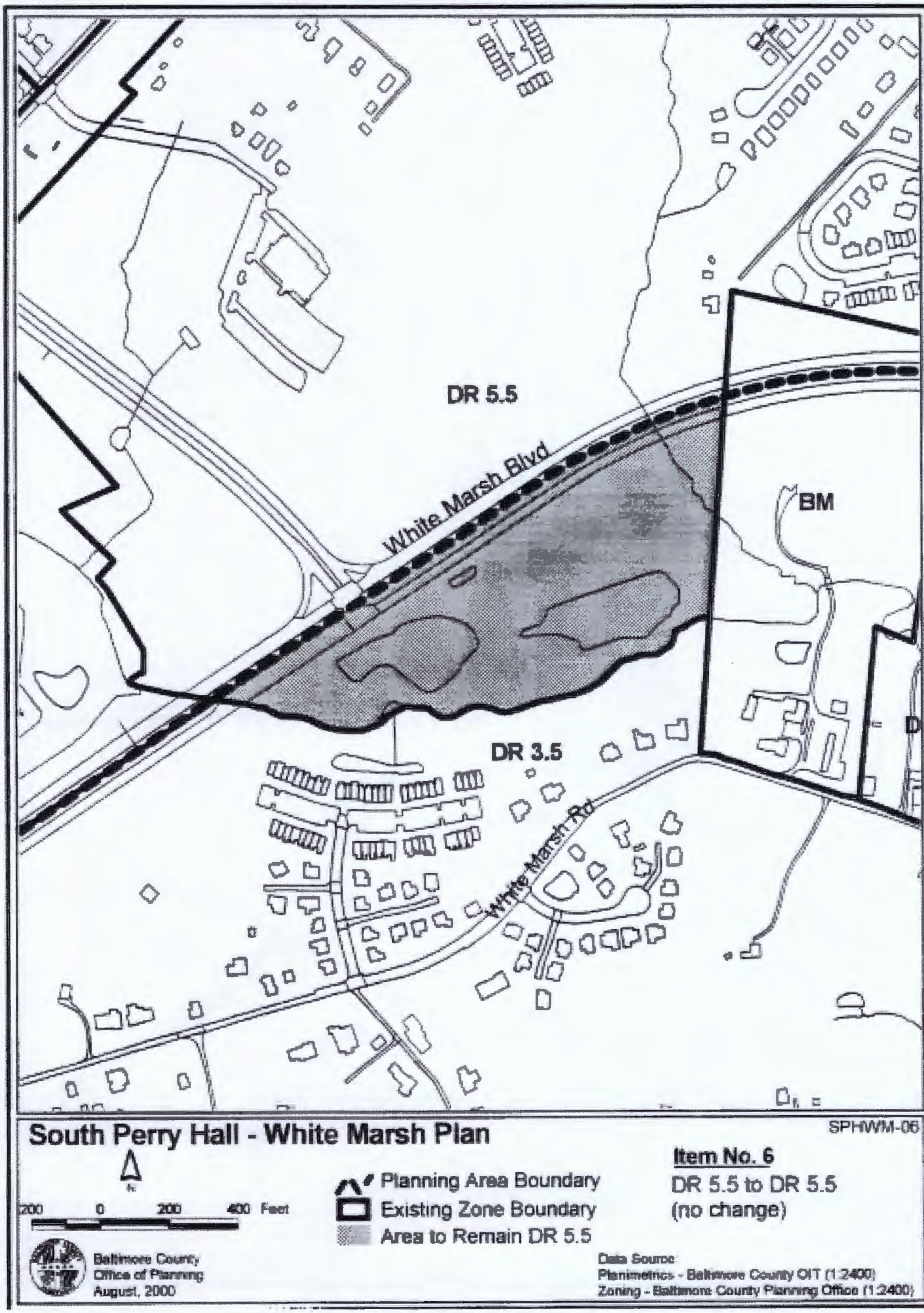

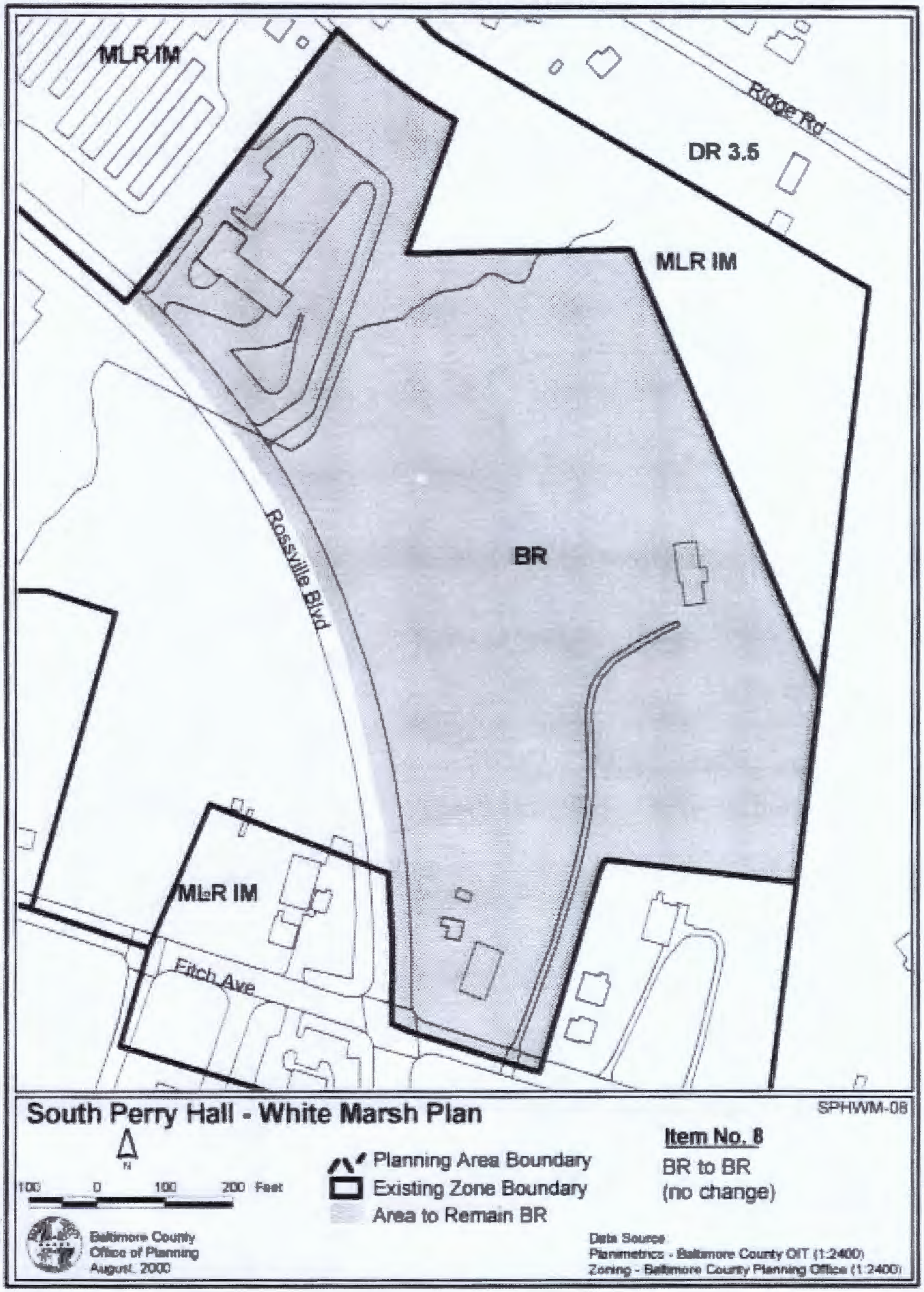
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Ridge Rd
DR 3.5
MLR IM
BR
Rossville Blvd
MLR IM
Fitch Ave
South Perry Hall - White Marsh Plan
SPHWM-08
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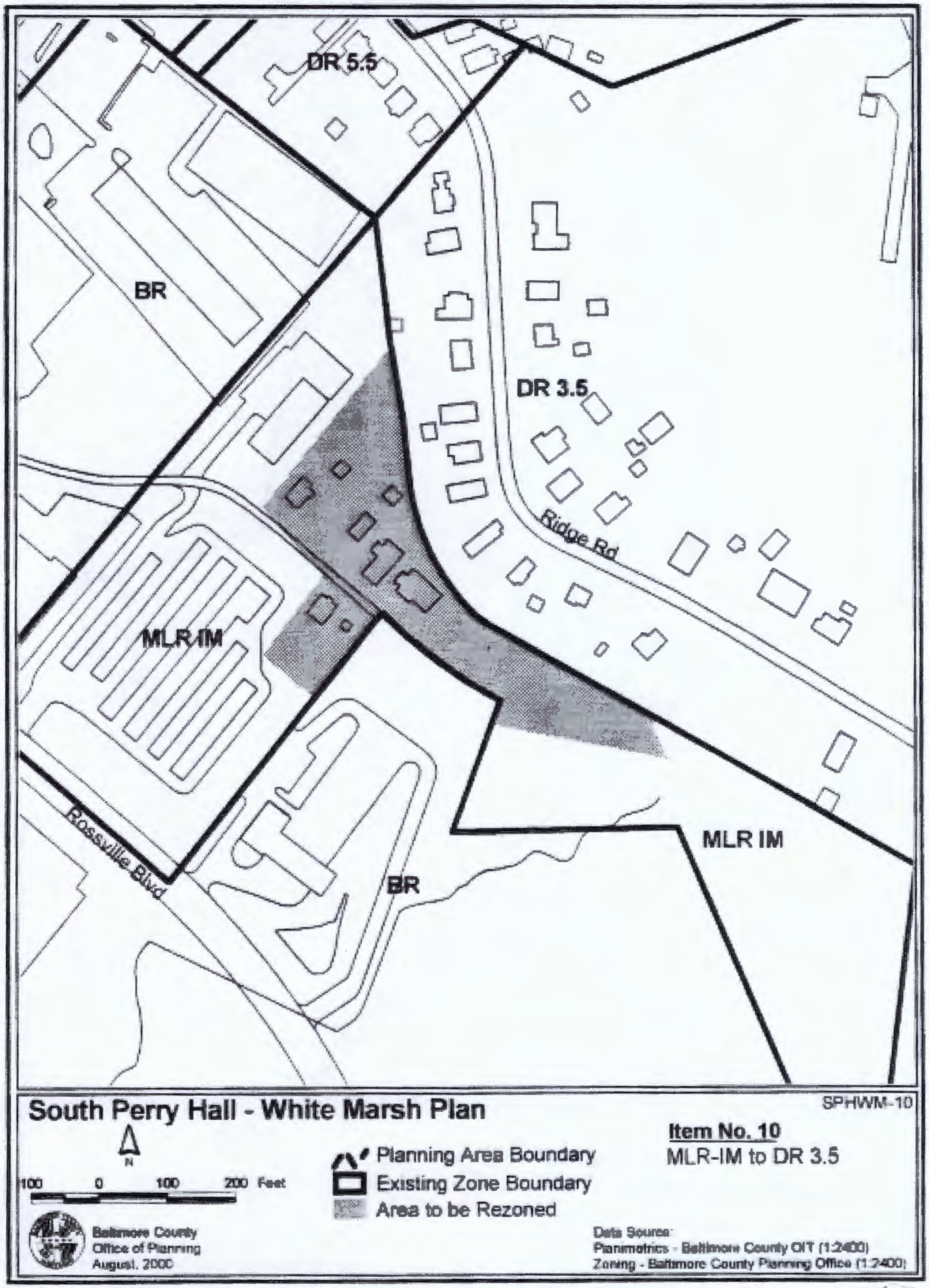
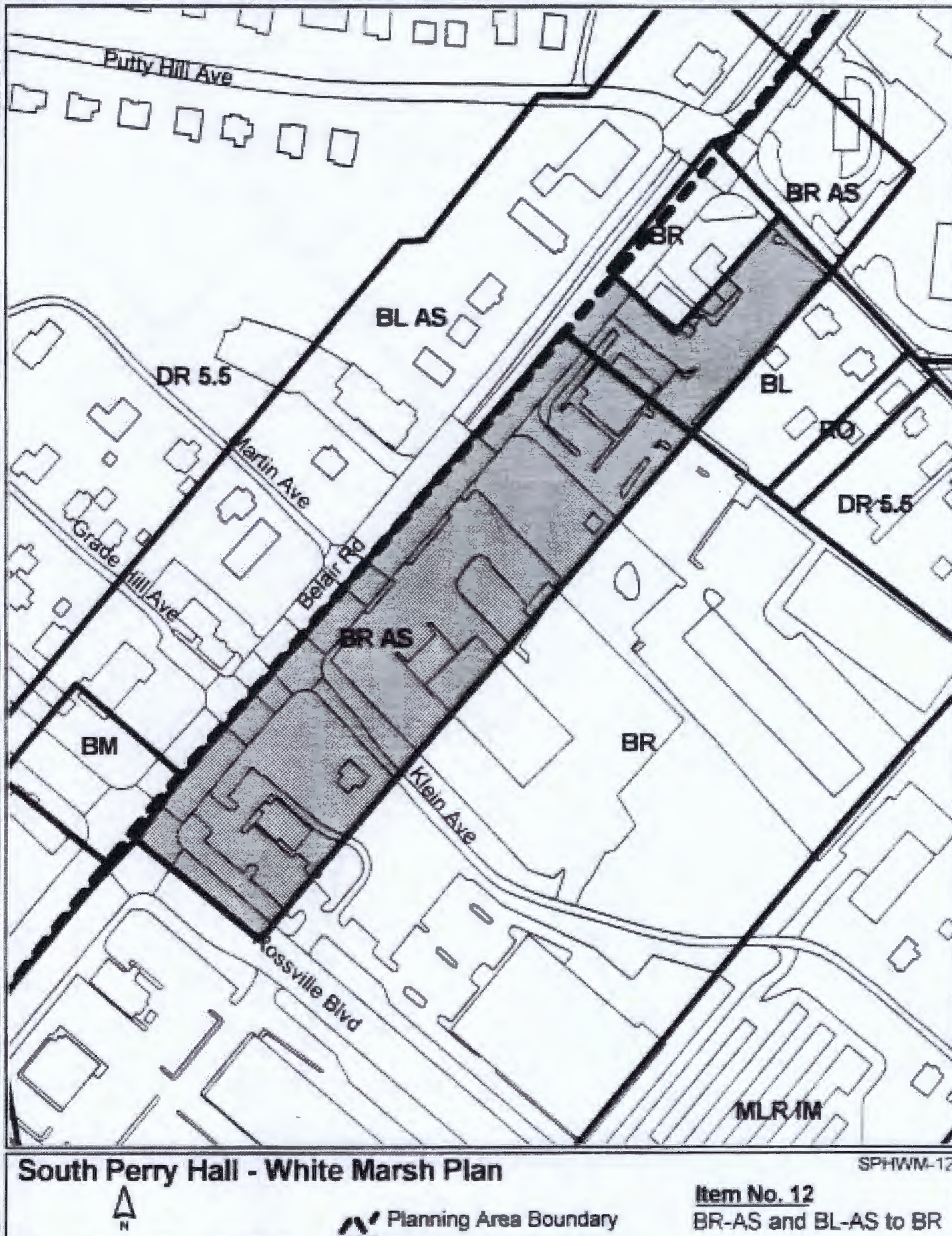
Planning Area Boundary
Existing Zone Boundary
Area to Remain BR
Item No. 8
BR to BR
(no change)
Baltimore County
Office of Planning
August, 2000
Data Source:
Planimetrics - Baltimore County OIT (1:2400)
Zoning - Baltimore County Planning Office (1:2400)


DR 5.5
BR
DR 3.5
Ridge Rd
MLR IM
MLR IM
Rossville Blvd
BR
SPHWM-10
South Perry Hall - White Marsh Plan
N
100 0 100 200 Feet
Planning Area Boundary
Existing Zone Boundary
Area to be Rezoned
Item No. 10
MLR-IM to DR 3.5
Baltimore County
Office of Planning
August, 2000
Data Source:
Planimetrics - Baltimore County OIT (1:2400)
Zoning - Baltimore County Planning Office (1:2400)



South Perry Hall - White Marsh Plan

SPHWM-12

Item No. 12

BR-AS and BL-AS to BR

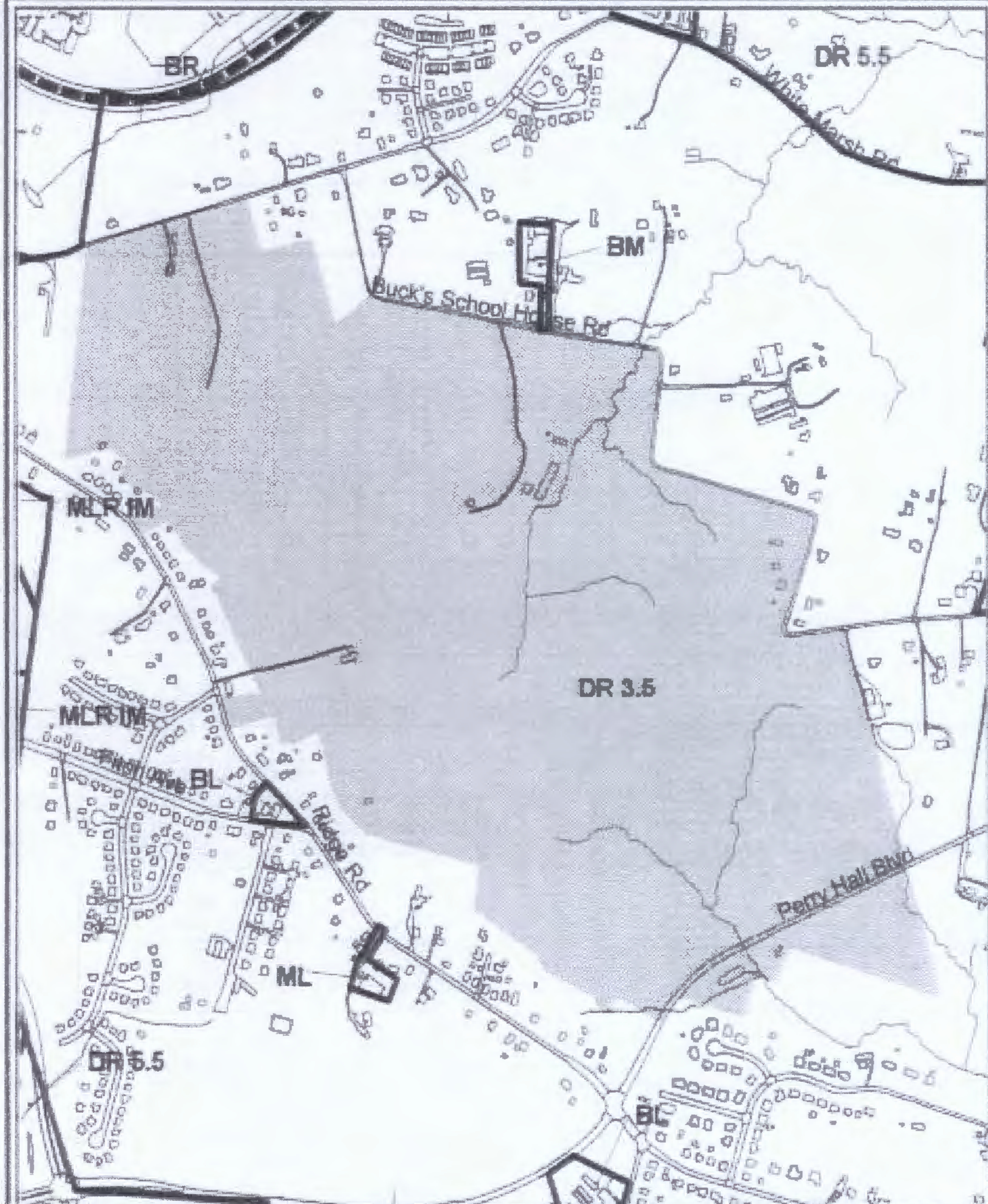
N

100 0 100 200 Feet

Planning Area Boundary
Existing Zone Boundary
Area to be Rezoned

Baltimore County
Office of Planning
August, 2000

Data Source:
Planimetrics - Baltimore County OIT (1:2400)
Zoning - Baltimore County Planning Office (1:2400)



South Perry Hall - White Marsh Plan

SPHWM-14

Item No. 14

DR 3.5 to DR 1

Planning Area Boundary

Existing Zone Boundary

Area to be Rezoned

400 0 400 800 Feet

Baltimore County
Office of Planning
August 2000

Data Source:
Planimetrics - Baltimore County OIT (1:2400)
Zoning - Baltimore County Planning Office (1:2400)

Appendix E

Residential Performance Standards

This report recommends that the Baltimore County Zoning Regulations be amended by adding Section 260.

Section 260
Residential Performance Standards

260.1 Scope; Statement of Legislative Intent for Performance Standards.

(a) This section applies to all residential development of four or more lots in Baltimore County that is located within the Urban/Rural Demarcation Line.

(b) (1) These performance design standards are intended to ensure that residential development in Baltimore County conforms with a higher quality of design.

(2) The evaluation of compliance shall occur as part of the review of development proposals.

(3) The Office of Planning may require the submittal of sufficient information, such as building elevations and grading plans, from which a finding can be made on compliance of the project with the standards.

(4) Deviation from the standards may be allowed only if clearly necessary to:

1. Comply with another standard;

2. Comply with environmental regulations or otherwise protect resources; or

3. Achieve the best possible development design, considering other goals in the Comprehensive Manual of Development Policies.

(c) (1) The Office of Planning's findings shall be made by the Director of Planning and submitted to the hearing officer or to the Director of Permits and Development Management, as applicable.

(2) The hearing officer or the Director of Permits and Development Management, as applicable, shall consider the findings presented by the Director of Planning or the Director's designee before a development plan is approved.

(3) After considering the findings, the hearing officer or the Director of Permits and Development Management may deviate from the standards only in accordance with the requirements in paragraph (b)(4) of this subsection.

2. Locating landscaped open green spaces in view of the development entrance or adjoining public street;

3. Planning a linked network of natural and landscaped open areas connected by pedestrian/bike trails; and

4. Orienting dwelling units around open areas or squares.

(b) Incorporate significant features, such as stands of trees, into open areas.

(c) Link the development's open areas to the surrounding neighborhood open areas, including public parks, walks, and bike trails and create both functional and visual continuity, e.g., by matching the design of a bike trail in the proposed development to the bike trail located in the adjoining property.

260.4 Streets and parking

(a) A development proposal shall:

1. Provide for at least one street connection to an adjoining neighborhood or an adjoining property, not including the principal access to the subdivision, in order to facilitate good traffic circulation.

2. Design streets to slow traffic by offsetting alignments, reducing street width, reducing the length of blocks, and employing the use of traffic management devices such as roundabouts, chokers, chicanes, etc., to accomplish traffic calming.

3. Allow on-street parking.

4. Provide pedestrian and bicycle access to commercial areas and community facilities on site within the development and to the surrounding neighborhood.

5. Provide street and parking accommodations which complement the surrounding neighborhood.

(b) Cul-de-sacs may be used if it is demonstrated that a street connection is not feasible due to site conditions such as severe grade transitions or sensitive natural features, or an alternative site layout is not feasible. If cul-de-sacs are used, developments should consist of a balance of street patterns (cul-de-sacs and connections). If cul-de-sacs are used, design elements such as center landscaping and traffic circles shall be used.

(c) Street widths and front yard setbacks may be reduced in accordance with traditional neighborhood design standards.

decorative concrete block, poured concrete with a brick pattern, or stucco, and provide landscaping along the foundation.

7. 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.

(b) 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.

Baltimore County
Office of Planning
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

http://www.co.ba.md.us

M E M O R A N D U M

DATE: November 7, 2012

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2012-0329-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on November 5, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

PLEASE PRINT CLEARLY

CASE NAME McNeal Farm
CASE NUMBER 9-27-2012
DATE PAI-14-487 / 2012-329-SPH

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Dwight Little	1055 Taylor Ave, #307	21286	dwightl@littleassociates.com
Aaron Kensinger	" " "	21286	aaronk@ " " "
Howard Alderman	502 Washington Ave Ste 802	21204	halderman@levingann...
Paul Amirault	11836 Belair Rd	21087 Kingsville	mdlandmark@comcast.net
Steven Rosen	3722 Birchmere Ct.	21117	sdr620@gmail.com

CASE NAME McNeil Farm.
CASE NUMBER PAI 14-487 | 2012-0329-SPH
DATE 9-27-2012

PLEASE PRINT CLEARLY
(South Perry Hall Blvd Improv. Ass'n.)

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Leslie M. Pittler	25 Wandsworth Bridge Way	Lutherville, Md. 21093	leslaw2@verizon.net
William Gohlinghorst	4627 1/2 Ringle Rd.	Balto. Md 21236	
MaryEileen Endryas	4812 King Ave	Balto Md 21236	endryas@verizon.ne
Bernadine D. Seymour	7719 Babikow Rd	Balto MD 21237	bernadineseymour@AOL.c
Margaret Winchester	5012 Shirleybrook Ave	Balto MD 21237	WINPEGGY@COMCAST.NET
Russ & Judy Pitt	7912 Babikow Road	Balto, MD 21237	JUDYRUSSPITT@VERIZON.NET
Evangelos+Paskalis Pagonakis	5026 Springhouse Circle	Baltimore, MD 21237	
Robert Witt	7906 Hilltop Ave.	Baltimore, MD 21236	RW7906@AOL.COM
Betty Harry	5003 Shirleybrook Ave	Balto MD 21237	bettyharry2@gmail.com
Kenneth L. Tilton SR	7834 Babikow Road	Balto, MD. 21237	

PLEASE PRINT CLEARLY

CASE NAME McNeal Farms
CASE NUMBER PAI 14-487 | 2012-329-SPH
DATE 9-27-2012

COUNTY REPRESENTATIVE'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
DAVID LYKENS	DEPS		
BRAD KNATZ	REAL ESTATE		
Jeffrey Perlow for Bruno Rudaitis	Zoning Review		
Jenifer Nugent	Planning		
Dennis Kennedy	DPR		
JAN M. COOK	PAI		

Memo for file – Case #2012-0329-SPH

Engineer Aaron Kensinger was advised prior to filing that the proper procedure in the South Perry/White Marsh Area was to request a deviation of standards from the Director of Planning. The engineer stated that the original overlay district map does not properly display an extension of Ridge Road to Interstate 95. Thus, he argued, the adopted GIS map used by the Planning and PAI departments does not accurately indicate what is "north" of "Ridge Road." We disagreed with his premise; however, we could not deny his right to file this petition as a special hearing rather than a deviation of standards under the Director of Planning.

LITTLE & ASSOCIATES, INC.
ENGINEERS ~~~ LAND PLANNERS ~~~ SURVEYORS

AARON M. KENSINGER
Project Manager

1055 TAYLOR AVENUE
SUITE 307
TOWSON, MD 21286

PHONE: 410-296-1636
FAX: 410-296-1639
aaronk@littleassociates.com

9/27 10AM

CASE NO. 2012- 0329-SPH

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
7-19	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent ______)	NC
	DEPS (if not received, date e-mail sent ______)	
	FIRE DEPARTMENT	
7-30	PLANNING (if not received, date e-mail sent ______)	Denial
7-16	STATE HIGHWAY ADMINISTRATION	No objection
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No. ______)

PRIOR ZONING (Case No. ______)

NEWSPAPER ADVERTISEMENT Date: 9-6-12 The Jeffersonian

SIGN POSTING Date: 8-26-12 by Pilson

PEOPLE'S COUNSEL APPEARANCE Yes ☑ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: * Please refer to 1 "memo to file" and 2 correspondence from People's Counsel re: Sect - 260.2D / interpretation of the "north of Ridge Road" geographic standard ...

9/27
10am

Maryland Department of Assessments and Taxation
Real Property Data Search (vw1.1A)
BALTIMORE COUNTY

Go Back
View Map
New Search
GroundRent Redemption
GroundRent Registration

Account Identifier: District - 14 Account Number - 1413014375

Owner Information

Owner Name:	MCNEAL GEORGE J MCNEAL LOUISE M	**Use:** **Principal Residence:**	AGRICULTURAL YES
Mailing Address:	7827 BABIKOW RD BALTIMORE MD 21237-3305	**Deed Reference:**	1) /00993/ 00320 2)

Location & Structure Information

Premises Address	**Legal Description**
7827 BABIKOW RD 0-0000	10 AC ES BABIKOW RD 2640FT N FR KINGS AVE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0082	0007	0433		0000				3	Plat Ref:

Special Tax Areas	**Town** **Ad Valorem** **Tax Class**	NONE

Primary Structure Built	Enclosed Area	Property Land Area	County Use
		10.0000 AC	33

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of 01/01/2012	As Of 07/01/2011	As Of 07/01/2012	PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Land	115,300	115,300			
Improvements:	450	400			
Total:	115,750	115,700	198,000	115,700	
Preferential Land:	3,300			3,300	

Transfer Information

Seller:	**Date:**	**Price:**	
Type:	**Deed1:**	**Deed2:**	
Seller:	**Date:**	**Price:**	
Type:	**Deed1:**	**Deed2:**	
Seller:	**Date:**	**Price:**	
Type:	**Deed1:**	**Deed2:**	

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	**Special Tax Recapture:**
Exempt Class:	AGRICULTURAL TRANSFER TAX

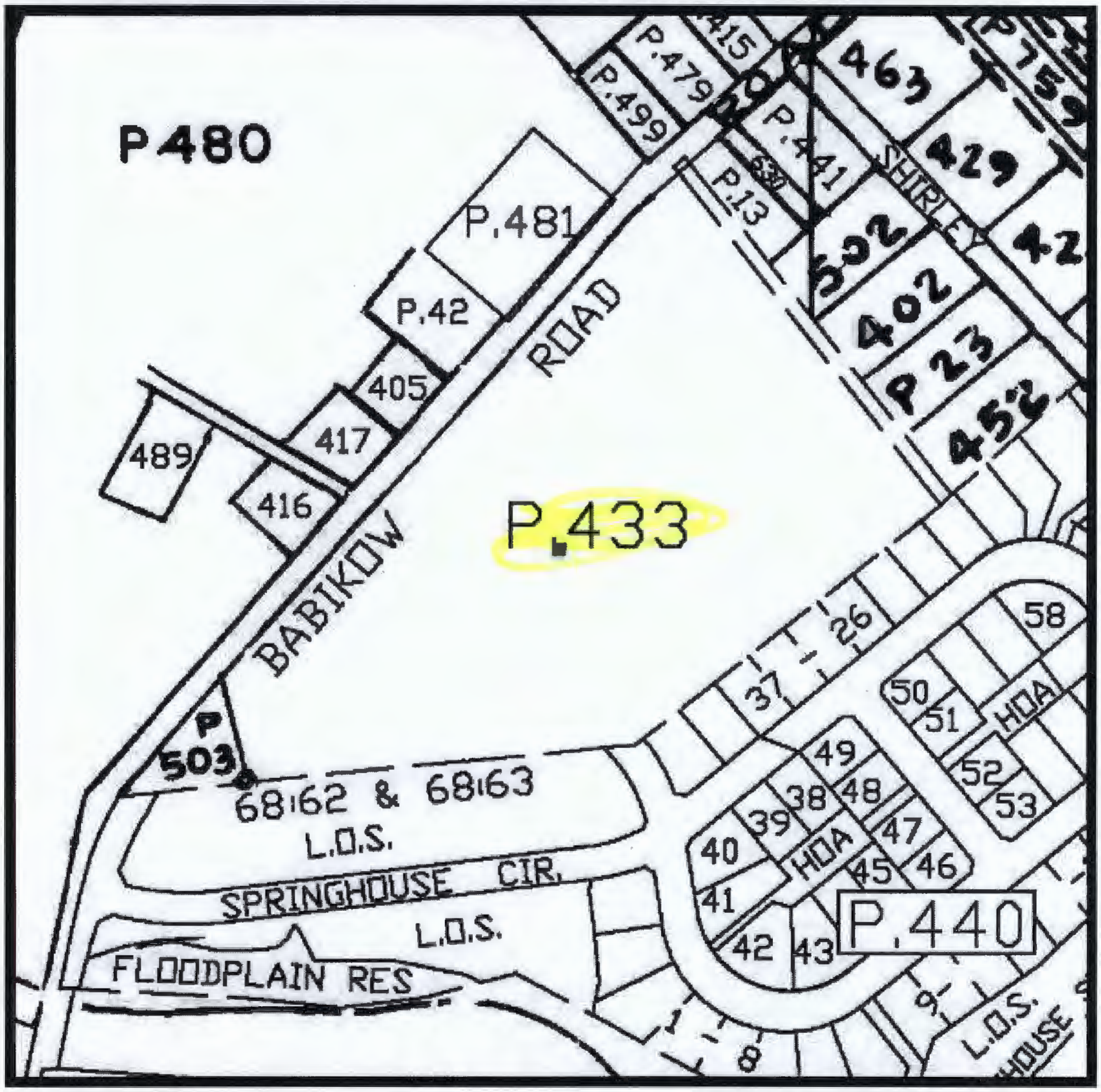
Homestead Application Information

Homestead Application Status: No Application

Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

Go Back
View Map
New Search

District - 14 **Account Number** - 1413014375



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

9/27 10AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: July 30, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

AUG 01 2012

OFFICE OF ADMINISTRATIVE HEARINGS

SUBJECT: 7827 Babikow Road

INFORMATION:

Item Number: **12-329**

Petitioner: George McNeal

Zoning: **DR 5.5**

Requested Action: **Special Hearing**

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The establishment of Section 260 of the Baltimore County Zoning Regulations was intended to increase the quality of development in Baltimore County and to maintain community character. The South Perry Hall White Marsh Community Plan was created and purposeful for doing the same. It is clear that the subject property is located north of Ridge Road and is therefore subject to section 260.2.D of the Baltimore County Zoning Regulations and required to have a lot width of 75 feet or more (see attached Concept Plan Conference comments). The Department of Planning recommends that the petitioner not be granted any relief from the aforementioned standards and regulations.

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

Prepared by: Curtis Murray

Division Chief: Lynn Lanham

AVA/LL: CM

Attachment

W:\DEVREV\ZAC\ZACs 2012\12-329.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

CONCEPT PLAN CONFERENCE

TO: Arnold Jablon, Deputy Administrative Officer and Director of Permits, Approvals and Inspections

FROM: Andrea Van Arsdale, Director- Department of Planning

DATE: January 3, 2012

PROJECT NAME: McNeal Farm

PROJECT NUMBER: XIV-487

PROJECT PLANNER: Jenifer Nugent

GENERAL INFORMATION:

Applicant Name: George J. & Louise M. McNeal
7827 Babikow Road
Baltimore, MD 21237

Location: 7827 Babikow Road

Councilmanic District: 6th

Land Management Area: Community Conservation Area

Zoning: DR 5.5

Acres: 9.19± acres

Surrounding Zoning and Land Use:

North:	DR 3.5	Single Family Detached Residential, agricultural greenhouses
South:	DR 3.5	Single Family Detached Residential, Institutional (Boumi Temple)
East:	DR 3.5	Single Family Detached Residential
West:	DR 3.5	Single Family Detached Residential, agricultural greenhouses

Project Proposal:

The applicant proposes a development of 30 Single Family Detached units on 9.19± acres of land zoned DR 5.5. The site is located on existing Babikow Road in South Perry Hall. The site is developed with a farmstead consisting of a main structure, a circular drive and many accessory structures that are all proposed to be removed. The site is predominately open with scattered vegetation provided of all unit types to be offered for sale. Side elevations should be dimensioned and include area in square feet;

b. Floor plans of the building types;

c. If dwellings with front entry garages are to be constructed, provide a typical plan or detail showing the garage setback;

d. Typical lot layouts showing house, garage, and driveway configurations;

e. Elevations and details of all proposed fencing;

f. Elevations and details of the proposed rear decks, indicating materials and finishes;

g. Elevations and details of proposed screening treatments of HVAC and metering systems;

h. Elevations, details and locations of proposed mail boxes;

i. Elevations and details of all proposed signage and entrance treatments;

j. Details of all proposed landscaping.

2. A grading plan.
3. The design and location of the open space area.

MASTER PLAN:

Baltimore County has prepared a comprehensive plan of development entitled Master Plan 2020 (MP 2020), which was adopted by the Baltimore County Council on November 15, 2010. The Baltimore County Executive and County Council acknowledge the importance of the MP 2020 as an advisory tool intended to guide them in accomplishing the visions and goals of said plan.

The *Master Plan 2020* Land Management Area Plan designation for the subject area is Community Conservation Area. As indicated on the, *Master Plan 2020, Map # 5, Proposed Land Use Map, Baltimore County Smart Coded* the project site is located within the T-4 (General Urban Zone). The T-4 zone is characterized by mixed-use, but is primairily residential urban fabric. The Proposed Land Use Map provides general recommendations for land use, is conceptual and general in nature and is intended to reflect land use patterns rather than identify land use of individual properties.

The site also falls within the South Perry Hall-White Marsh Area Plan that was adopted by the Baltimore County Council on May 7, 2001 with amendments on December 1, 2008.

PEDESTRIAN AND BICYCLE ACCESS PLAN:

Although there is no designation for Babikow Road, the development is within the *"Eastern Baltimore County Pedestrian and Bicycle Access Plan"* area. In the event that widening is taken by this project, the applicant must confirm with the Department of Public Works (DPW) that the ultimate right-of-way meets the Bikeways guidelines found within the DPW Baltimore County Design Manual adopted on 8/2/2010.

SCHOOL IMPACT ANALYSIS:

This development is subject to section 32-6-103 of the Baltimore County Code, Adequate Public Facilities. A school impact analysis is required with development plan submittal. Information is available on the Baltimore County Department of Planning's Web Page:

http://www.baltimorecountymd.gov/Agencies/planning/public_facilities_planning/adequate_school_facilities.html

The proposal is within the boundaries of the following schools:

Debra Wiley - ZAC Comments - Distribution Mtg. of 7/16

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 7/25/2012 3:51 PM
Subject: ZAC Comments - Distribution Mtg. of 7/16

Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0286-A - 2 Adil Court
No hearing date in data base as of today

2012-0298-A - 25 Offspring Court
Administrative Variance - Closing Date: 7/30

2012-0329-SPH - 7827 Babikow Road
No hearing date in data base as of today

2012-0330-A - 2206 A Ridge Road
Administrative Variance - Closing Date: 7/23

2012-0331-A - 3801 Schnaper Drive
No hearing date in data base as of today

2012-0332-A - 536 Piccadilly Road
Administrative Variance - Closing Date: 7/30

2013-0001-A - 2112 Riverview Road
Administrative Variance - Closing Date: 8/6

2013-0002-A - 1005 Rolandvue Road
Administrative Variance - Closing Date: 8/6

2013-0003-A - 6 Brierleigh Court
Administrative Variance - Closing Date: 8/6

2013-0004-SPHA - 1236 E. Riverside Road - **CRITICAL AREA**
No hearing date in data base as of 7/25

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Baltimore County, Maryland
OFFICE OF PEOPLE'S COUNSEL
Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

JB 9/27
10Am

August 21, 2012

HAND DELIVERED
John Beverungen, Administrative Law Judge/Hearing Officer
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

RECEIVED
AUG 21 2012
OFFICE OF ADMINISTRATIVE HEARINGS

Re: George NcNeal & Estate of Louisa McNeal
7827 Babikow Road
Case No.: 2012-329-SPH

Dear Judge Beverungen,

Upon review of this petition, and following up my courtesy conversation with Howard Alderman, attorney for Petitioners, I would like to communicate my view that the property in question is indeed north of Ridge Road in the South Perry Hall-White Marsh area. Therefore, it is subject to the setback minimum 75-foot width standards along the front wall and rear wall for single-family lots under enclosed BCZR Section 260.2.D, so that variances are required.

We have also now reviewed in more depth the site plan and Planning Department correspondence on the proposed subdivision and zoning relief, and have some comments also on the alternative request for variances.

As to the geography, we enclose a Google Earth aerial photo of the property and area. We recognize that Ridge Road dead ends at its eastern terminus at Babikow Road, and that this property is on the other (east) side of Babikow Road, so not directly north at a 90 degree angle. Nevertheless, in context, it is plainly well north of Ridge Road in the area, and actually fairly close to a 90-degree angle, as it fronts on Babikow Road.

So far as we can currently remember, this is the first case to call for an interpretation of the "north of Ridge Road" geographic standard, so it will be a precedent for other cases. We do note that the Planning Department has come to the same conclusion in its enclosed oppositional January 3, 2012 Concept Plan Conference correspondence and July 30, 2012 zoning correspondence. The Concept Plan correspondence Comments on Page 4 discuss the issue, and include, among other things, a reference to the South Perry Hall-White Marsh Area plan.

Accordingly, it is our view that Petitioners must satisfy the BCZR Section 307.1 variance standards for their requested lot width of 62 feet for their proposed 30-lot subdivision. The site plan shows that none of the proposed lots have a greater width than 62 feet. It may be that a few of the lots have even smaller widths, although this was difficult to read.

Insofar as the proposed subdivision involves 30 lots on about 9 acres (rather than a single small lot, for example), it is difficult to see how there any justification for multiple variances. Moreover, the minimum width standard may be said to be analogous to a density variance, which would not ordinarily be allowed. There appears thus to be a solid legal basis as well for the Planning Department's opposition.

As a footnote, whether or not the variances would facilitate the platting of more lots than otherwise, or whether, in Petitioners' opinion, they arguably facilitate a more desirable plan, these would not be legal justifications under BCZR 307.1. See, e.g. Chester Haven Beach Partneship v. Board of Appeals for Queen Anne's County 103 Md. App. 324, 339-41 (1995).

We trust that this letter will be of assistance to the Administrative Law Judge and also provide ample advance notice to Petitioners and their attorney so that they can prepare to explain any disagreement with our point of view.

Sincerely,

Peter Max Zimmerman

Peter Max Zimmerman
People's Counsel for Baltimore County

Enclosure
cc: Howard Alderman, Esquire
Department of Planning (Lynn Lanham, Curtis Murray, Jennifer Nugent)

Baltimore County, MD
Monday, August 13, 2012

SECTION 260. Residential Performance Standards

[Bill Nos. 34-2001; 58-2001 *Editor's Note: This bill provided that it would apply to: 1. A concept plan accepted for filing by the Department of Permits and Development Management on or after July 12, 2001; or 2. In the South Perry Hall — White Marsh area as defined in the official comprehensive Zoning Map accompanying Bill No. 33-01 as adopted by the County Council, a development plan approved on or after May 25, 2001.*]

§ 260.1. Scope; statement of legislative intent of performance standards.

A. This section applies to all residential development of four or more lots in Baltimore County that is located within the urban/rural demarcation line.

B. Intent; evaluation of compliance.

1. These performance design standards are intended to ensure that residential development in Baltimore County conforms with a higher quality of design.

2. The evaluation of compliance shall occur as part of the review of development proposals.

3. The Department of Planning may require the submittal of sufficient information, such as building elevations and grading plans, from which a finding can be made on compliance of the project with the standards.

[Bill No. 55-2011]

4. Deviation from the standards may be allowed only if clearly necessary to:

a. Comply with another standard;

b. Comply with environmental regulations or otherwise protect resources; or

c. Achieve the best possible development design, considering other goals in the Comprehensive Manual of Development Policies.

C. Consideration of findings; deviation from standards.

[Bill No. 122-2010]

1. The Department of Planning's findings shall be made by the Director of Planning and submitted to the hearing officer or to the Director of Permits, Approvals and Inspections, as applicable.

[Bill No. 55-2011]

2. The hearing officer or the Director of Permits, Approvals and Inspections, as applicable, shall consider the findings presented by the Director of Planning or the Director's designee before a development plan is approved.

3. After considering the findings, the hearing officer or the Director of Permits, Approvals and Inspections may deviate from the standards only in accordance with the requirements in Paragraph B.4 of this subsection.

§ 260.2. Site planning.

A. A development proposal shall:

1. Retain the existing quality vegetation of the site to the fullest extent possible and protect the root systems of that vegetation during construction.

2. Integrate locally significant features of the site, such as distinctive buildings, vistas, topographic features, specimen trees, tree stands, hedgerows, monuments, landmarks, ruins and gardens, into the site design, and retain the character of the features and their settings.

3. Coordinate building design, site layout, and grading so that grade transitions are gradual and respect the existing topography.

4. Provide a landscaped buffer between the rear yards of dwellings existing on May 25, 2001, and the rear yards of abutting new dwellings.

5. Provide for smooth transitions between neighborhoods by arranging and orienting the proposed buildings and site improvements to complement those in the surrounding neighborhood.

6. Provide transitions with respect to setbacks, street patterns, and building-to-street grade relationships.

B. Reverse-frontage lots are permitted only if the petitioner can demonstrate that adequate setbacks, topography, berming, landscaping or building design, will effectively screen private yard space and decks from the public view. Fences may not be located closer than 20 feet to a public right-of-way.

C. Panhandle lots are not permitted as a matter of right. Panhandles must conform to § 32-4-409 of the Baltimore County Code and to the standards in the Comprehensive Manual of Development Policies. Panhandle lots are not permitted in the South Perry Hall-White Marsh area. Panhandle lots are not permitted in the Middle River area, as defined in Bill 59-07, unless each lot has a minimum size of two acres.

[Bill Nos. 137-2004; 115-2006 *Editor's Note: This bill was subsequently amended by Bill No. 140-2006 to provide that it would not apply to any development plan for which a hearing officer's hearing was scheduled prior to 11-1-2006.* **; 60-2007]**

D. The minimum width for any single-family detached lot located in the South Perry Hall — White Marsh area north of Ridge Road is 75 feet as measured along both the front wall and rear wall of the dwelling unit. This subsection does not apply to alternative site design dwellings permitted in accordance with Section 1B01.1.A.1.b.

E. Single-family detached lots in Middle River — Bird River area.

[Bill No. 3-2002 *Editor's Note: This bill was amended by Bill No. 44-2002 to provide that it would not apply to concept plans accepted for filing prior to 3-24-2002.* **]**

1. For any single-family detached lot located in the Middle River — Bird River area, as defined in County Council Bill 122-01:

a. The minimum width is 75 feet as measured along both the front wall and rear wall of the dwelling unit;

b. The minimum front yard setback is 20 feet; and

c. The minimum rear yard setback is 40 feet, 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.

2. This subsection does not apply to alternative site design dwellings permitted in accordance with Section 1B01.1.A.1.b.

F. Single-family detached lots in Middle River area. The Middle River area, described in the Middle River Community plan adopted by Council Resolution 77-07, is designated as a design review area. For any single-family detached lot in the area that is part of a development plan and is zoned D.R. 3.5, the minimum required width is 75 feet as measured along both the front wall and rear wall of the dwelling unit, and the design review panel shall consider the design standards of this section when making a recommendation to the hearing officer.

[Bill Nos. 60-2007; 27-2008 *Editor's Note: This bill also provided that it would not apply to any development project for which the initial development plan approval was obtained prior to 9-19-2007.* **]**

§ 260.3. Open space.

A development proposal shall:

A. Integrate open space areas into the proposed development by:

1. Creating focal points along streets;

2. Locating landscaped open green spaces in view of the development entrance or adjoining public street;

3. Planning a linked network of natural and landscaped open areas connected by pedestrian/bike trails; and

4. Orienting dwelling units around open areas or squares.

B. Incorporate significant features, such as stands of trees, into open areas.

C. Link the development's open areas to the surrounding neighborhood open areas, including public parks, walks, and bike trails, and create both functional and visual continuity, e.g., by matching the design of a bike trail in the proposed development to the bike trail located in the adjoining property.

§ 260.4. Streets and parking.

A. A development proposal shall:

1. Provide for at least one street connection to an adjoining neighborhood or an adjoining property, not including the principal access to the subdivision, in order to facilitate good traffic circulation.

2. Design streets to slow traffic by offsetting alignments. Reducing street width, reducing the length of blocks, and employing the use of traffic management devices such as roundabouts, chokers, chicanes, etc., to accomplish traffic calming.

3. Allow on-street parking.

4. Provide pedestrian and bicycle access to commercial areas and community facilities on site within the development and to the surrounding neighborhood.

5. Provide street and parking accommodations which complement the surrounding neighborhood.

B. Culs-de-sac may be used if it is demonstrated that a street connection is not feasible due to site conditions such as severe grade transitions or sensitive natural features, or an alternative site layout is not feasible. If culs-de-sac are used, developments should consist of a balance of street patterns (culs-de-sac and connections). If culs-de-sac are used, design elements such as center landscaping and traffic circles shall be used.

C. Street widths and front yard setbacks may be reduced in accordance with traditional neighborhood design standards.

§ 260.5. Landscape design.

A. A development proposal shall:

1. Landscape public open spaces to invite users. Particularly emphasizing the intended entrance to the open space.

2. In addition to plant material, use fences, walls or earth forms to provide effective and attractive screens and buffers where necessary.

3. Provide for, or reinforce and maintain, a continuous street tree canopy by preserving healthy street trees or, if they are not present, planting new trees. The canopy shall be comprised of trees of the same species or trees with design characteristics and growth habits that are similar to those of the existing street trees.

4. Include the design for site signage on the schematic landscape plan. If this is not possible, the signage design may be included in the final development plan and shall be approved before issuance of any building permits.

§ 260.6. Buildings.

A. A development proposal shall:

1. Provide variety in housing type or design, while maintaining continuity in scale, rhythm, proportion and detail.

2. Orient the front of the dwelling toward the street and incorporate prominent entries and porches or stoops into front building facades.

3. 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.

4. 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.

5. Design accessory structures at a scale appropriate to the dwelling and design storage buildings and garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.

6. 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.

7. 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.

B. 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.

§ 260.7. Adoption of regulations.

[Bill Nos. 91-2006; 55-2011]The Department of Planning may adopt a manual of regulations to implement the residential performance standards of this section and Section 1A04.4. The regulations shall be adopted in accordance with Article 3, Title 7 of the Baltimore County Code.


7827 Babikow Rd, Nottingham, MD
Reston Ln
Springhouse Cir
Linda Ave
Babikow Rd
Ridge Rd
John F Kennedy Memorial Hwy
King Ave
© 2012 Google
Google earth
feet
1000
meters
600

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

WD
PM2

CONCEPT PLAN CONFERENCE

TO: Arnold Jablon, Deputy Administrative Officer and Director of Permits, Approvals and Inspections

FROM: Andrea Van Arsdale, Director- Department of Planning

DATE: January 3, 2012

PROJECT NAME: McNeal Farm

PROJECT NUMBER: XIV-487

PROJECT PLANNER: Jenifer Nugent

GENERAL INFORMATION:

Applicant Name: George J. & Louise M. McNeal
7827 Babikow Road
Baltimore, MD 21237

Location: 7827 Babikow Road

Councilmanic District: 6th

Land Management Area: Community Conservation Area

Zoning: DR 5.5

Acres: 9.19± acres

Surrounding Zoning and Land Use:

North:	DR 3.5	Single Family Detached Residential, agricultural greenhouses
South:	DR 3.5	Single Family Detached Residential, Institutional (Boumi Temple)
East:	DR 3.5	Single Family Detached Residential
West:	DR 3.5	Single Family Detached Residential, agricultural greenhouses

Project Proposal:

The applicant proposes a development of 30 Single Family Detached units on 9.19± acres of land zoned DR 5.5. The site is located on existing Babikow Road in South Perry Hall. The site is developed with a farmstead consisting of a main structure, a circular drive and many accessory structures that are all proposed to be removed. The site is predominately open with scattered vegetation

PROJECT NAME: [illegible] Farm **PROJECT NUMBER:** XIV-487

Other Anticipated Actions and Additional Review Items:

☐ Special Exception	☐ Special Hearing	☐ PUD
☐ Variance	☐ Compatibility	☐ Design Review Panel
☐ Waiver	☐ Scenic Route	☐ Other
☐ RTA Modification	☐ Referral to Planning Board	

PARTIES TO BE NOTIFIED BY APPLICANT:

1. All adjacent property owners.
2. The Community Associations listed below:

South Perry Community Association
Ms. Peggy Winchester, President
5012 Shirleybrook Rd
Baltimore, Md. 21237

South Perry Community Association
Ms. Bernadine Seymour
7719 Babikow Road
Baltimore, Md. 21237

MEETINGS:

Concept Plan Conference	______________	Community Input Meeting	______________
Development Plan Conference	______________	Hearing Officer's Hearing	______________
Planning Board	______________		

RESIDENTIAL PERFORMANCE STANDARDS:

Be advised that this development is subject to Bill 58-01 titled "Residential Performance Standards." Section 260 of the Baltimore County Zoning Regulations requires the Director of the Department of Planning to make a finding to the Administrative Law Judge (ALJ) for all residential development of four lots or more in Baltimore County that is located within the Urban/Rural Demarcation Line.

The Department of Planning adopted a Manual of Regulations Section 260, BCZR to implement Section 260 of the BCZR on June 24, 2010. These regulations are located at:
http://www.baltimorecountymd.gov/Agencies/planning/welcome/development_review_division.html

The ALJ or the Director of Permits, Approvals and Inspections (PAI), as applicable, shall consider the findings presented by the Director of the Department of Planning or the Director's designee before a development plan is approved.

RESIDENTIAL PERFORMANCE STANDARDS FINDING:

Before a finding can be made on compliance of the subject project with the Residential Performance Standards, all of the following must be submitted:

1. A pattern book (11" x 17" bound and in color) to include the following:
   a. Architectural elevations **of all facades** including any proposed garage that shall include general massing of the buildings, major facade divisions, porches, gables, dormers, chimneys, size and placement of openings, roof treatment, materials, and colors. Elevations shall be

provided of all unit types to be offered for sale. Side elevations should be dimensioned and include area in square feet;

b. Floor plans of the building types;

c. If dwellings with front entry garages are to be constructed, provide a typical plan or detail showing the garage setback;

d. Typical lot layouts showing house, garage, and driveway configurations;

e. Elevations and details of all proposed fencing;

f. Elevations and details of the proposed rear decks, indicating materials and finishes;

g. Elevations and details of proposed screening treatments of HVAC and metering systems;

h. Elevations, details and locations of proposed mail boxes;

i. Elevations and details of all proposed signage and entrance treatments;

j. Details of all proposed landscaping.

2. A grading plan.

3. The design and location of the open space area.

MASTER PLAN:

Baltimore County has prepared a comprehensive plan of development entitled Master Plan 2020 (MP 2020), which was adopted by the Baltimore County Council on November 15, 2010. The Baltimore County Executive and County Council acknowledge the importance of the MP 2020 as an advisory tool intended to guide them in accomplishing the visions and goals of said plan.

The *Master Plan 2020* Land Management Area Plan designation for the subject area is Community Conservation Area. As indicated on the, *Master Plan 2020, Map # 5, Proposed Land Use Map, Baltimore County Smart Coded* the project site is located within the T-4 (General Urban Zone). The T-4 zone is characterized by mixed-use, but is primairily residential urban fabric. The Proposed Land Use Map provides general recommendations for land use, is conceptual and general in nature and is intended to reflect land use patterns rather than identify land use of individual properties.

The site also falls within the South Perry Hall-White Marsh Area Plan that was adopted by the Baltimore County Council on May 7, 2001 with amendments on December 1, 2008.

PEDESTRIAN AND BICYCLE ACCESS PLAN:

Although there is no designation for Babikow Road, the development is within the "*Eastern Baltimore County Pedestrian and Bicycle Access Plan*" area. In the event that widening is taken by this project, the applicant must confirm with the Department of Public Works (DPW) that the ultimate right-of-way meets the Bikeways guidelines found within the DPW Baltimore County Design Manual adopted on 8/2/2010.

SCHOOL IMPACT ANALYSIS:

This development is subject to section 32-6-103 of the Baltimore County Code, Adequate Public Facilities. A school impact analysis is required with development plan submittal. Information is available on the Baltimore County Department of Planning's Web Page:

http://www.baltimorecountymd.gov/Agencies/planning/public_facilities_planning/adequate_school_facilities.html

The proposal is within the boundaries of the following schools:

PROJECT NAME: [redacted] Farm **PROJEC**[redacted]**BER:** XIV-487

Fullerton	Elementary School
Parkville	Middle School
Overlea	High School

COMMENTS:

The receipt of additional information from the Community Input Meeting or other sources may generate further comments at the Development Plan Conference.

1. It is the interpretation of the Department of Planning that Section 260.2.d of the BCZR applies to this development. In reading the South Perry Hall-White Marsh Area plan, out of which Section 260 of the BCZR was established, lot widths of a minimum of 75 feet were intended for all lands north of Ridge Road for the entire plan area. Further support of this intent is inferred in Appendix B-1 of the area plan that stated that a desire of the community was to create minimum lot sizes of 10,000 square feet and that future development shall not allow for multi-family or townhouse development. Establishing these parameters within the community was purposeful to maintain community character. Therefore, the minimum lot widths of the proposed lots are recommended to be 75 feet.
2. Reverse frontage lots are not permitted as a matter of right per Section 260.2.B which states "Reverse frontage lots are permitted only if the petitioner can demonstrate that adequate setbacks, topography, berming, landscaping, or building design will effectively screen private yard space and decks from the public view. Fences may not be located closer than 20 feet to a public right of way." The site should be redesigned in a way so that the lots along Babikow Road are not reverse frontage dwellings. Lots 24-27 also exhibit reverse frontage orientation.
3. Highly visible lots shall meet the requirements of Section 260 of the BCZR. These requirements shall apply to lot #s 7, 8, 23, 24, 28, and 30. (subject to change after drafting).
4. Show the schematic grading (including grading for the Storm Water Management Pond) on the Development Plan and the limit of tree retention. The maximum retention of trees is desirable.

Prepared By: ______________________

Division Chief: ______________________

JN:kma

PM2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: July 30, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 7827 Babikow Road

INFORMATION:

Item Number: **12-329**

Petitioner: George McNeal

Zoning: **DR 5.5**

Requested Action: **Special Hearing**

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The establishment of Section 260 of the Baltimore County Zoning Regulations was intended to increase the quality of development in Baltimore County and to maintain community character. The South Perry Hall White Marsh Community Plan was created and purposeful for doing the same. It is clear that the subject property is located north of Ridge Road and is therefore subject to section 260.2.D of the Baltimore County Zoning Regulations and required to have a lot width of 75 feet or more (see attached Concept Plan Conference comments). The Department of Planning recommends that the petitioner not be granted any relief from the aforementioned standards and regulations.

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

Prepared by: Curtis Murray

Division Chief: Lynn Lanham

AVA/LL: CM

Attachment

KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits, Approvals & Inspections

September 19, 2012

George McNeal Jr.
Estate of Louisa M. McNeal
7827 Babikow Road
Baltimore MD 21237

RE: Case Number: 2012-0329 SPH, Address: 7827 Babikow Road

Dear Mr. McNeal:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 26, 2012. 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.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
G. Dwight Little Jr., Little & Associates, 1055 Taylor Avenue, Suite 307, Towson, MD 21286
AMRO Developing LLC, Steve Rosen, 3722 Birchmere Court, Owings Mills, MD 21117
Howard L. Alderman, Jr., Esq., Levin & Gann PA, 502 Washington Avenue, Towson, MD 21204

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

SHA
State Highway Administration
Maryland Department of Transportation

Beverley K. Swaim-Staley, *Secretary*
Melinda B. Peters, *Administrator*

Date: 7-16-12

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

RE: Baltimore County
Item No 2012-0329-SPH
Special Hearing
George J. McNeal, Gerald Caldwell Jr.
representing Estate of
Louisa M. McNeal
7827 Babikow Road.

Dear Ms. Lewis:

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. 2012-0329-SPH.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

fr

Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is________________

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: July 19, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For July 30, 2012
Item Nos. 2012-0286, 0298, 0327, 0328, 0329, 0330, 0331, 0332.
Item Nos. 2013-0002, 0003, 0004.

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

DAK:~~CEN~~
cc: File
G:\DevPlanRev\ZAC -No Comments\ZAC-07302012-NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: July 30, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 7827 Babikow Road

INFORMATION:

Item Number: **12-329**

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Prepared by: Curtis Murray

Division Chief: Lynn Lanham

AVA/LL: CM

Attachment

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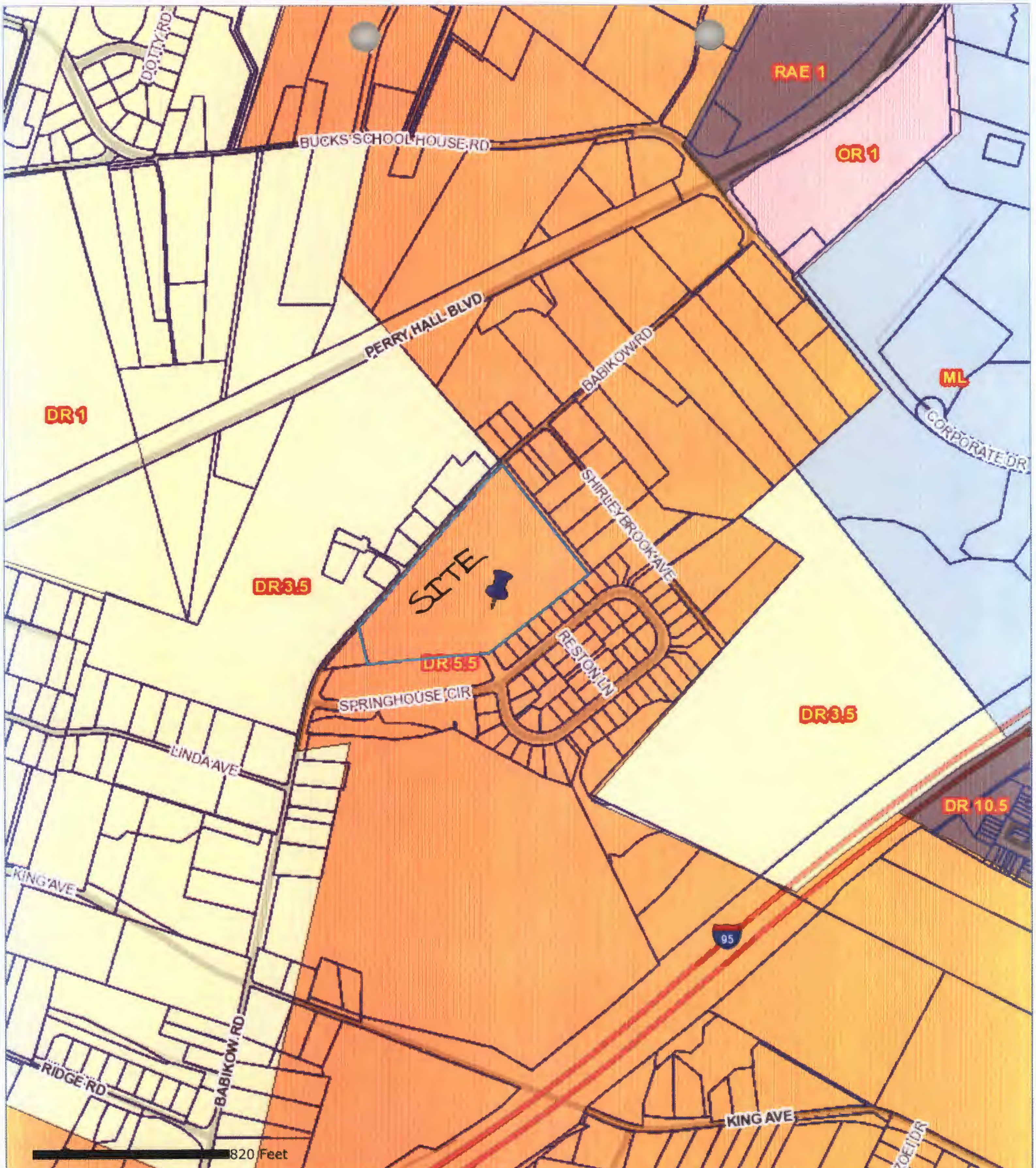

McNeal Farm

Item # 329

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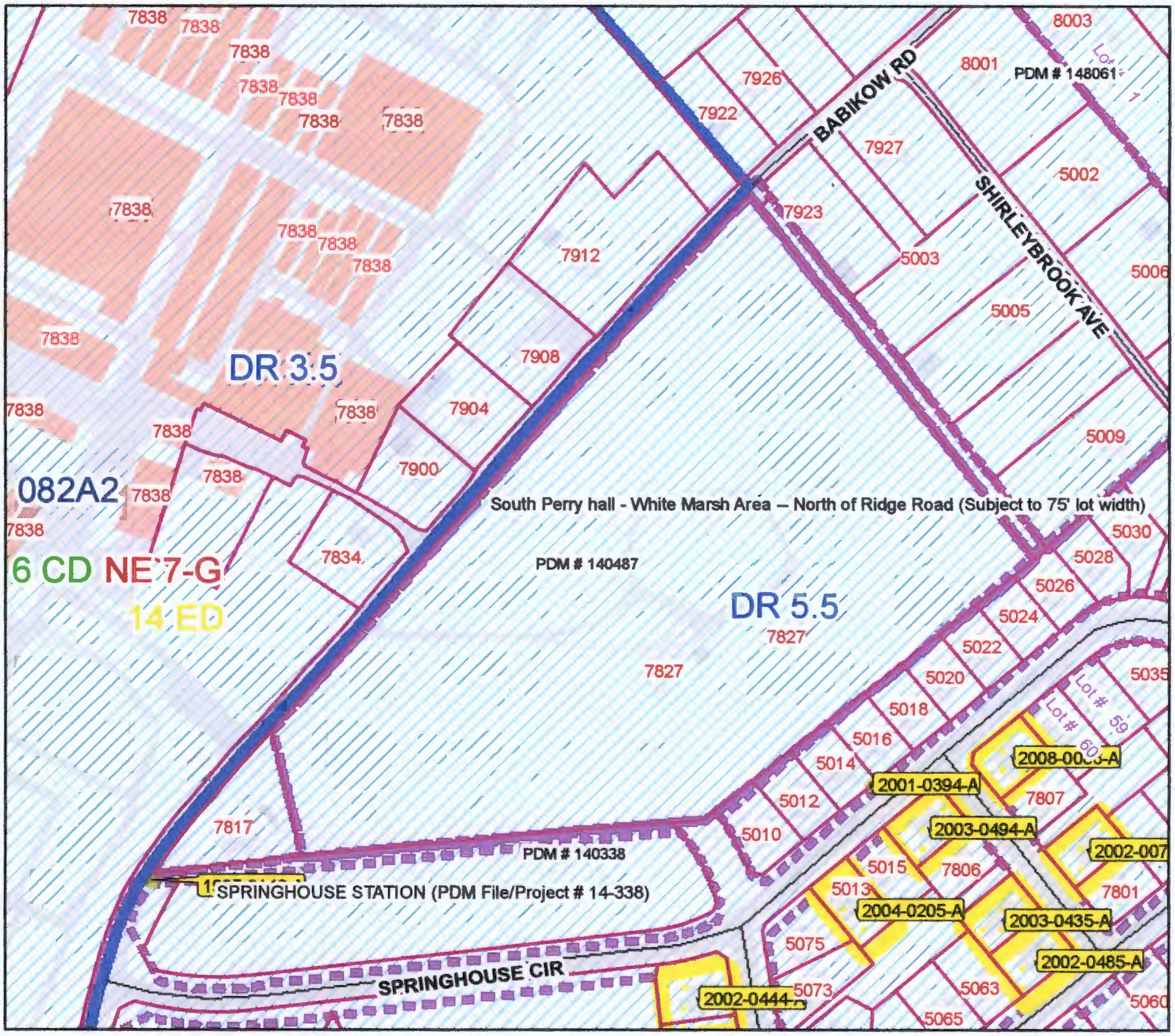
Printed 5/31/2012

McNeal Farm



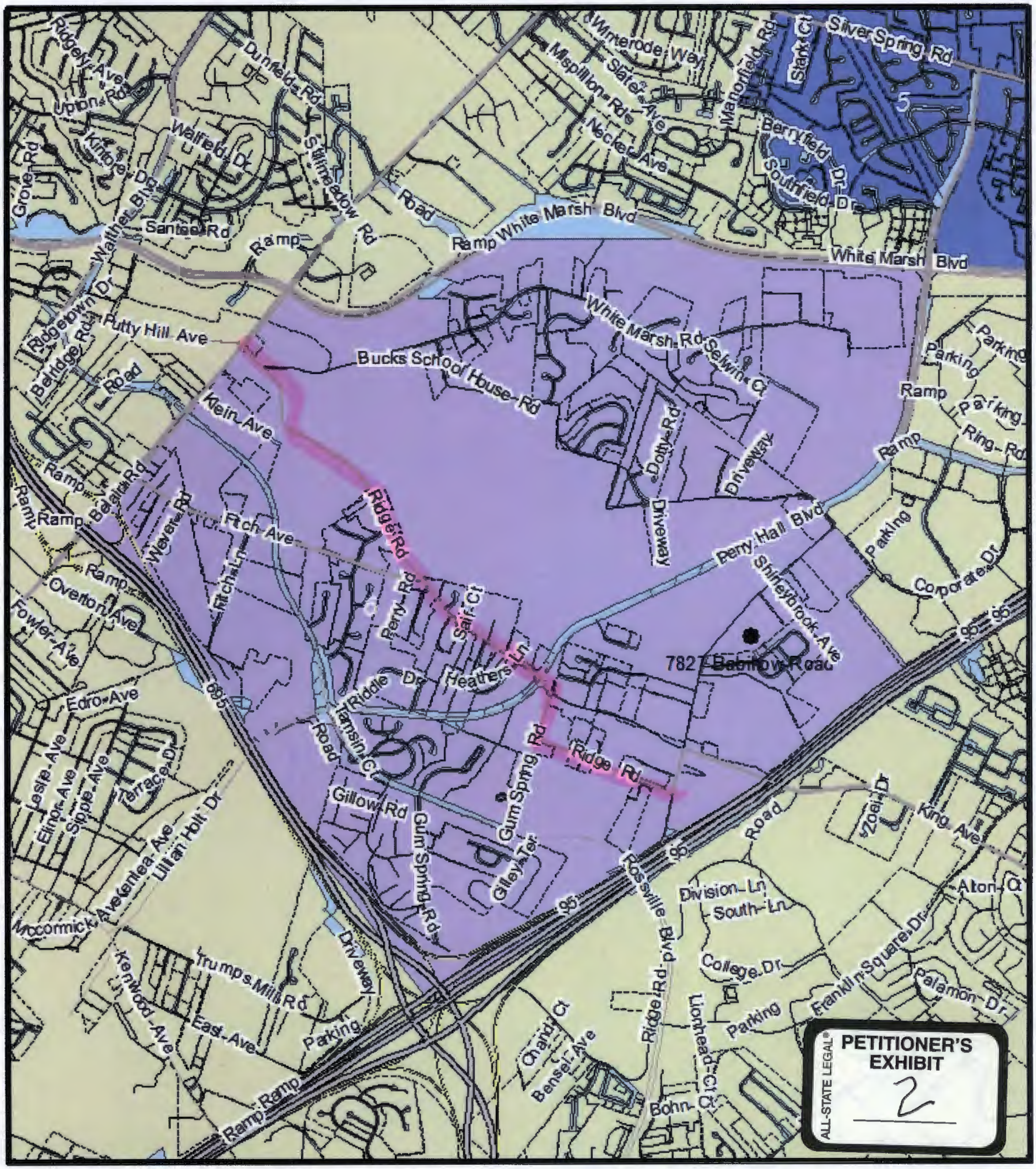
Publication Date: June 26, 2012
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

0 200 400 Feet

1 inch = 200 feet

Item # 329

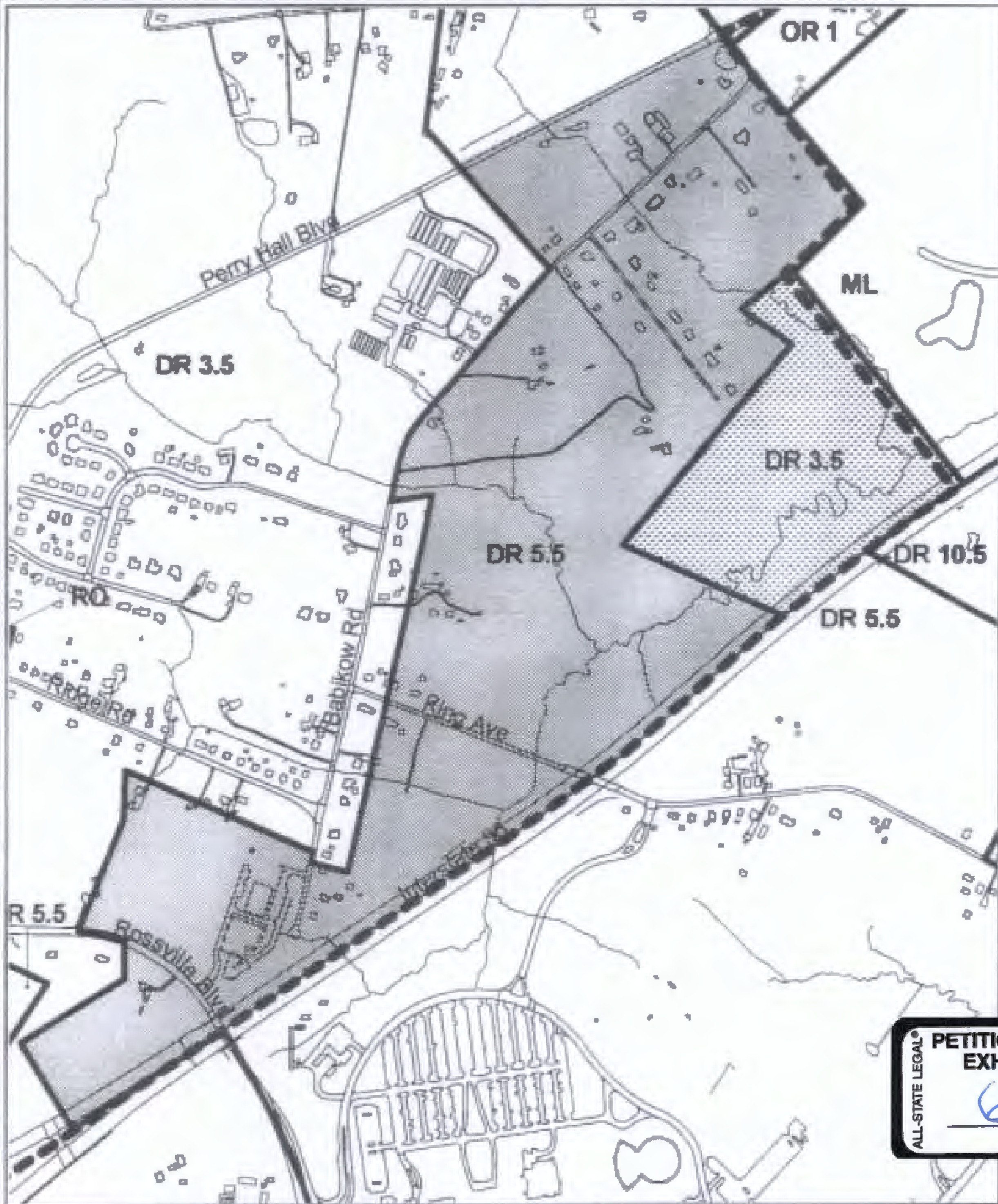
Ridge Road Exhibit



Map prepared by:
Baltimore County Office of Planning
The Jefferson Building
105 W. Chesapeake Avenue, Ste 101
Towson, MD 21204

N

0 950 1,900 3,800
Feet



PETITIONER'S EXHIBIT 6

ALL-STATE LEGAL®

South Perry Hall - White Marsh Plan

SPHWM-02

N

400 0 400 800 Feet

- Planning Area Boundary
- Existing Zone Boundary
- Area to Remain DR 5.5
- Area to Remain DR 3.5

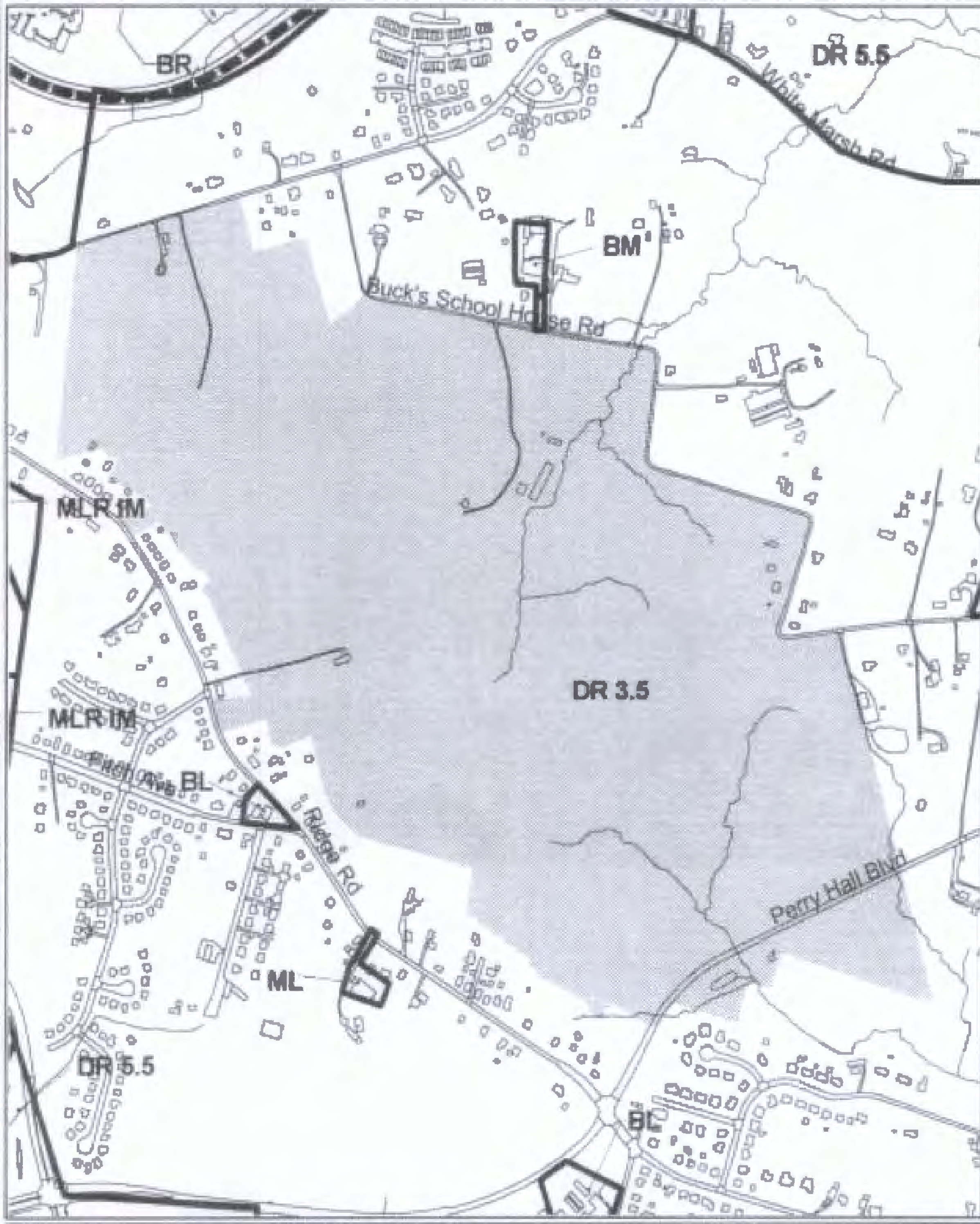
Item No. 2

DR 5.5 and DR 3.5
to DR 5.5 and DR 3.5
(no change)

Baltimore County
Office of Planning
August, 2000

Data Source:
Planimetrics - Baltimore County OIT (1:2400)
Zoning - Baltimore County Planning Office (1:2400)

Appendix C (continued)



South Perry Hall - White Marsh Plan

SPHWM-14

N

400 0 400 800 Feet

Planning Area Boundary

Existing Zone Boundary

Area to be Rezoned

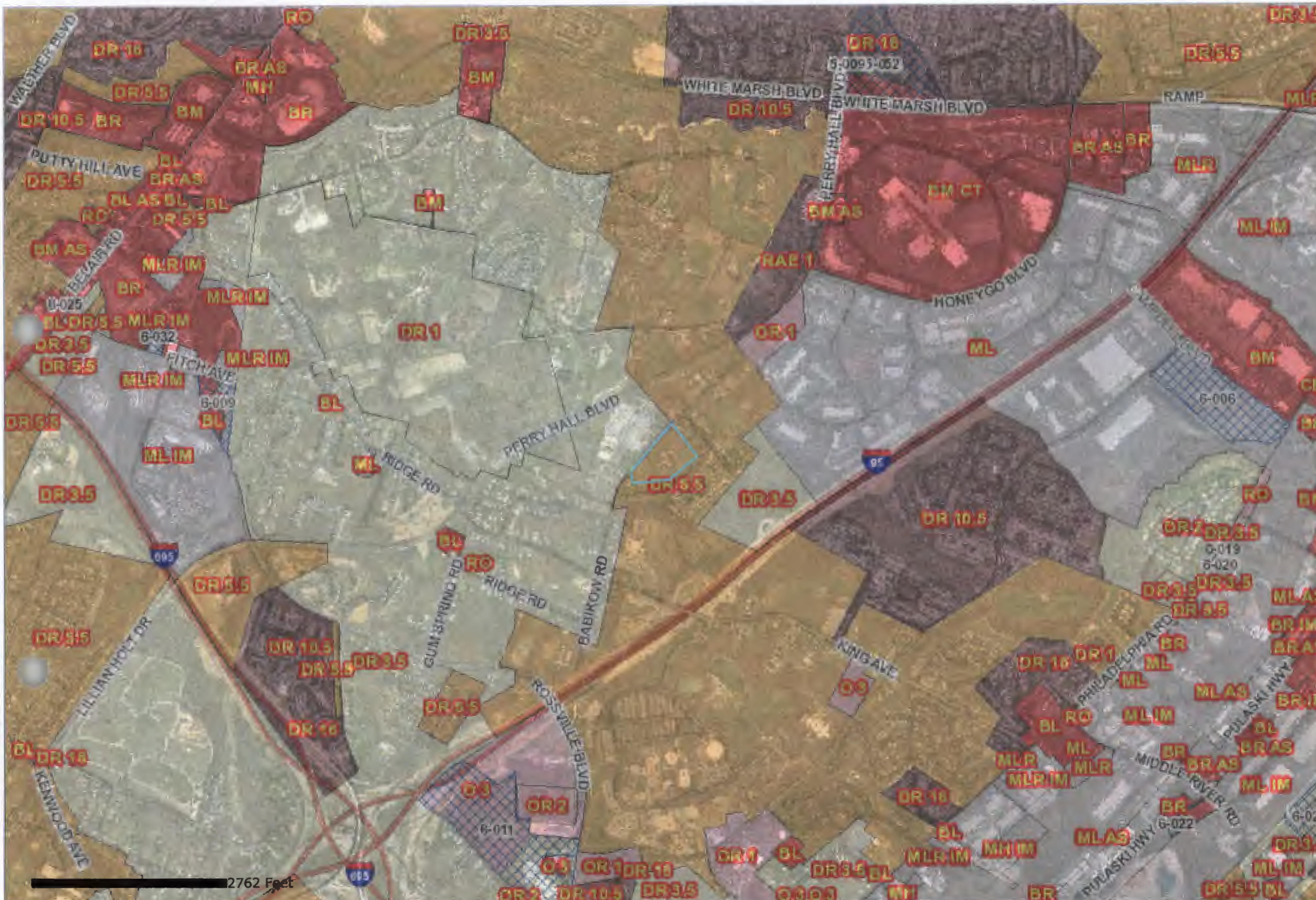
Item No. 14

DR 3.5 to DR 1

Baltimore County
Office of Planning
August 2000

Data Source:
Planimetrics - Baltimore County OIT (1:2400)
Zoning - Baltimore County Planning Office (1:2400)

ALL-STATE LEGAL®
PETITIONER'S EXHIBIT
7



CZMP 2012 Map

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Baltimore County
My Neighborhood

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PETITIONER'S EXHIBIT
8
ALL-STATE LEGAL®

Printed 9/24/2012

Baltimore County 2012 Comprehensive Zoning Map Process
Log of Issues For District 6
August 30, 2012

Issue Number 6-009 | **Petitioner:** Brooks & Kosloski | **Location:** 4501 Fitch Ave

Existing Zoning and Acres		Requested Zoning and Acres		Final Staff Recommendation		Planning Board Recommendations		Final County Council Decision	
BL	5.77	BR	9.18	BL	9.16	BL	9.16	BM	9.16
ML IM	2.68		9.18	DR 3.5	0.02	DR 3.5	0.02	DR 3.5	0.02
MLR IM	0.73				9.18		9.18		9.18
	9.18								

Comments

Issue Number 6-010 | **Petitioner:** George Anagnostou | **Location:** 827 Chester Rd

Existing Zoning and Acres		Requested Zoning and Acres		Final Staff Recommendation		Planning Board Recommendations		Final County Council Decision	
DR 3.5	0.51	BMB	0.51	BMB	0.51	BMB	0.51	BMB	0.51
	0.51		0.51		0.51		0.51		0.51

Comments

Issue Number 6-011 | **Petitioner:** Life Source Church Rosedale | **Location:** 7000 Rossville Blvd

Existing Zoning and Acres		Requested Zoning and Acres		Final Staff Recommendation		Planning Board Recommendations		Final County Council Decision	
DR 3.5	16.56	BL or BLR	6.80	BLR	6.80	BLR	6.80	BL	6.80
O 3	31.19	DR 16	30.71	OR 2	41.11	OR 2	41.11	DR 16	30.71
OR 2	0.16	OR 2	10.40		47.91		47.91	OR 2	10.40
	47.91		47.91						47.91

Comments

Issue Number 6-012 | **Petitioner:** Canterbury Property LLC | **Location:** Between Back River Neck Rd & MD 702 and between Middleborough Rd & Hyde Park Rd

Existing Zoning and Acres		Requested Zoning and Acres		Final Staff Recommendation		Planning Board Recommendations		Final County Council Decision	
SE	32.25	BM	32.25	BM	32.25	BM	32.25	BM	32.25
	32.25		32.25		32.25		32.25		32.25

Comments

ALL-STATE LEGAL® PETITIONER'S EXHIBIT 9

(Total acreages may not equal due to rounding.)

Issue Number 6-032

Petitioner Baltimore County Planning Board **Location** 4318 - 4320 Fitch Ave

Existing Zoning and Acres		Requested Zoning and Acres		Final Staff Recommendation		Planning Board Recommendations		Final County Council Decision	
BR	0.20	BL	2.53	BL	2.53	BL	2.53	BL	1.54
MLR IM	2.50	BR	0.17	BR	0.17	BR	0.17	BR	0.20
								ML IM	0.96
	2.70		2.70		2.70		2.70		2.70

Comments

Issue Number 6-033

Petitioner Baltimore County Planning Board **Location** North side of Ebeneezer Rd, east of Windlass Run

Existing Zoning and Acres		Requested Zoning and Acres		Final Staff Recommendation		Planning Board Recommendations		Final County Council Decision	
RC 2	154.03	RC 2	154.03	BL CR	0.09	BL CR	0.09	RC 2	154.03
RC 50	138.47	RC 50	138.47	DR 3.5	150.80	DR 3.5	150.80	RC 50	138.47
				RC 50	141.61	RC 50	141.61		
	292.50		292.50		292.50		292.50		292.50

Comments

Issue Number 6-034

Petitioner Baltimore County Department of Planning **Location** West side of Back River Neck Rd, across from Pottery Farm Rd

Existing Zoning and Acres		Requested Zoning and Acres		Final Staff Recommendation		Planning Board Recommendations		Final County Council Decision	
DR 1	7.04	RC 20	7.04	DR 1	7.04	DR 1	7.04	DR 1	7.04
	7.04		7.04		7.04		7.04		7.04

Comments

Issue Number 6-035

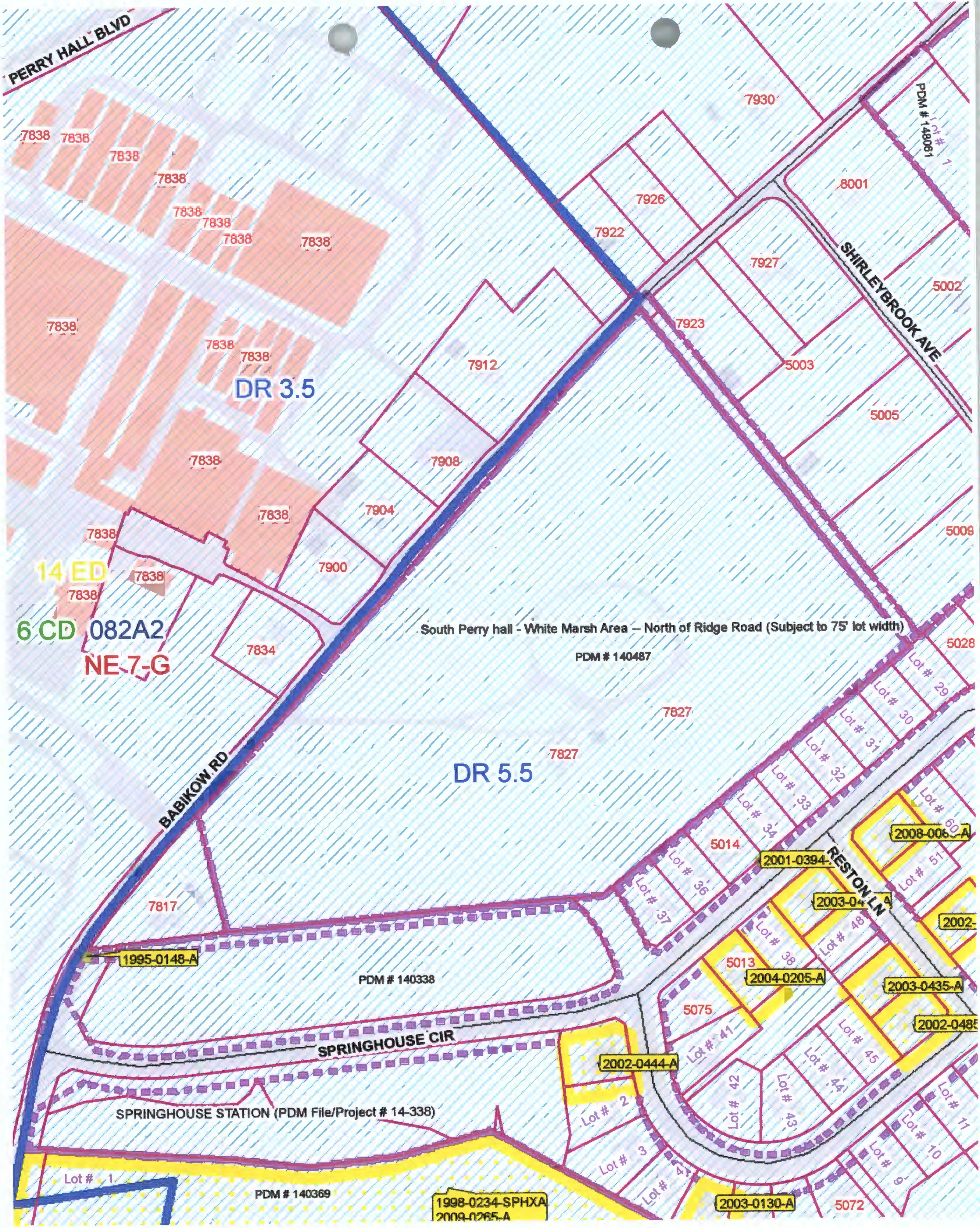
Petitioner Baltimore County Department of Planning **Location** 2361 Vandermast Ln

Existing Zoning and Acres		Requested Zoning and Acres		Final Staff Recommendation		Planning Board Recommendations		Final County Council Decision	
RC 5	5.34	RC 20	5.63	RC 5	5.34	RC 5	5.34	RC 5	5.34
	5.34		5.63		5.34		5.34		5.34

Comments

(Total acreages may not equal due to rounding.)

ALL-STATE LEGAL® PETITIONER'S EXHIBIT 10



PERRY HALL BLVD
7838
DR 3.5
14 ED
6 CD
082A2
NE 7-G
7930
7926
7922
7927
8001
PDM # 148061
SHIRLEYBROOK AVE
5002
7923
5003
7912
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7908
7904
5009
7900
7834
South Perry hall - White Marsh Area -- North of Ridge Road (Subject to 75' lot width)
PDM # 140487
5028
7827
DR 5.5
BABIKOW RD
5014
RESTON LN
2001-0394-
2003-04
2008-006
2002-
7817
1995-0148-A
5013
2004-0205-A
2003-0435-A
PDM # 140338
5075
2002-0485
SPRINGHOUSE CIR
2002-0444-A
SPRINGHOUSE STATION (PDM File/Project # 14-338)
PDM # 140369
1998-0234-SPHXA
2009-0265-A
2003-0130-A
5072

SITE AREA CALCULATION

NET TRACT AREA:	9.919 ACRES
ALLOWANCE FOR ROAD FRONTAGE [(0' X0')/43560]:	0.000 ACRES
GROSS AREA:	9.919 ACRES

SITE DATA

EXISTING ZONING AND MAXIMUM DENSITY PERMITTED

ZONE	ACRES	UNITS ALLOWED	DENSITY UNITS	UNITS PROPOSED
DR 5.5	9.919	54.555	54	30
TOTAL	9.919	54.555	54	30

COUNTY ADOPTED PLANS

EXISTING	NOT EXISTING	IN CONFORMANCE	
		✓	BALTIMORE COUNTY MASTER PLAN 1989 – 2010
		✓	COMMUNITY OR REVITALIZATION PLAN(S)
		✓	RECREATION AND PARKS PLAN
		✓	STREETSCAPE PLAN
		✓	GREENWAYS PLAN
		✓	OTHER______

SITE DEVELOPMENT PROPOSAL

DWELLING TYPE	PROPOSED UNITS	PARKING REQUIRED	PARKING PROPOSED	OPEN SPACE REQUIRED (ACRES)	OPEN SPACE PROPOSED (ACRES)	AVERAGE DAILY TRIPS	PHASE	DEVELOPMENT SCHEDULE
SINGLE FAMILY	30	60	60	0.69	0.00	300		2013
TOTAL	30	60	60	0.69	0.00	300		2013

OPEN SPACE PROPOSAL

OPEN SPACE TYPE	ACRES
LOCAL OPEN SPACE	WAIVER
100 YEAR FLOOD PLAIN	N/A
AMENITY AREAS	N/A
TRAILS AND CONNECTORS	N/A
OTHER	0.00
TOTAL PROVIDED	0.00

UNDEVELOPED AREAS	ACRES
STORMWATER MANAGEMENT	0.701±
HOA/COA AREAS	0.734±
OTHER	
TOTAL PROVIDED	1.435±

ADDITIONAL INFORMATION

ANTICIPATED ACTIONS:
VARIANCES NONE
WAIVERS NONE
SPECIAL EXCEPTIONS NONE
OTHER: ZONING CASE # 2012-329-SPH
A SPECIAL HEARING TO CONFIRM THAT THE SUBJECT PROPERTY IS NOT LOCATED NORTH OF RIDGE ROAD AND IS THEREFORE NOT SUBJECT TO THE 75 FOOT MINIMUM LOT WIDTH REQUIRED BY SECTION 260.2.D OF THE BALTIMORE COUNTY ZONING REGULATIONS.

CONSISTENCY WITH DESIGN MANUALS YES

DEDICATION TABLE

TYPE OF CONVEYANCE	NO.	TOTAL AREA **
DRAINAGE AND UTILITY EASEMENTS	~~7~~ 8	0.558 AC±
FOREST BUFFER EASEMENT	1	0.017 AC±
FOREST CONSERVATION EASEMENT	2	0.195 AC±
FOREST BUFFER AND FOREST CONSERVATION EASEMENTS	2	0.815 AC±
HIGHWAY WIDENINGS	1	0.671 AC±
HIGHWAY RIGHT-OF-WAYS	1	1.656 AC±
STORMWATER MANAGEMENT EASEMENTS	6	0.298 AC±
STORMWATER MANAGEMENT RESERVATIONS	1	0.701 AC±
REVERTIBLE SLOPE EASEMENTS	2	0.158 AC±

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

ENVIRONMENTAL INFORMATION

EXISTING	NOT EXISTING	FIELD DELINEATED	FIELD VERIFIED	
✓				TOPOGRAPHY AND STREET GRADES (MIN 5 FT CONTOUR APPROPRIATELY LABELED)
✓				SLOPES GREATER THAN 25%
	✓			100 YEAR FLOODPLAIN
✓				SOILS MAPPED ACCORDING TO SOIL SURVEY, BALTIMORE COUNTY, MARYLAND
✓				STREAMS, SEEPS, PONDS OR OTHER WATER BODIES SHOWN ON SITE AND WITHIN 200 FT OF SITE BOUNDARIES.
			✓	WETLANDS
✓				FOREST BUFFER LIMITS INCLUDING ADJUSTMENTS FOR STEEP SLOPES AND/OR ERODIBLE SOILS
✓				LAND COVER ON AND WITHIN 200 FT OF SITE
	✓			SIGNIFICANT REGULATED PLANT OR WILDLIFE COMMUNITIES
✓				WELLS ON SITE AND WITHIN 100 FT OF SITE
✓				SEPTIC ON SITE AND WITHIN 100 FT OF SITE
	✓			UNDERGROUND FUEL TANKS ON SITE AND WITHIN 100 FT OF SITE
	✓			SOIL EVALUATION TESTS (PERC TESTS) PERFORMED: YES____ NO ✓ DATE____
	✓			SITE WITHIN 500 FT OF MAJOR HIGHWAY: YES____ NO ✓ **IF YES, NOISE ASSESSMENT REQUIRED**

EXISTING BUILT CONDITIONS

EXISTING	NOT EXISTING	
✓		LOCATION OF EXISTING BUILDINGS WITHIN 200 FT OF SITE BOUNDARIES
✓		LOCATION OF EXISTING ROADS WITHIN 200 FT OF SITE BOUNDARIES
	✓	DESIGNATED HISTORIC SITES
	✓	DESIGNATED ARCHEOLOGICAL SITES
	✓	SIGNIFICANT VIEWS
✓		SIGNIFICANT FEATURES (SPECIMEN TREES, BUILDINGS, STREETSCAPE, ETC.)
✓		LAND USES ON OR WITHIN 200 FT OF SITE BOUNDARIES
✓		ROAD RIGHTS OF WAY AND EASEMENTS

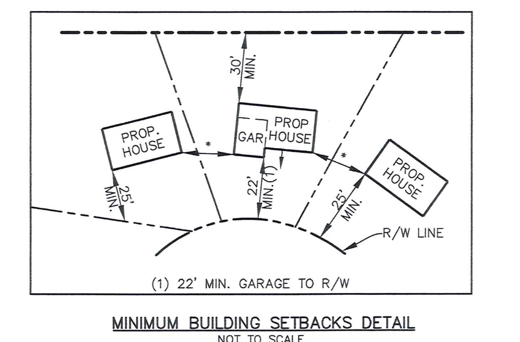
SINGLE FAMILY DETATCHED, TWO-FAMILY ALTERNATIVE SITE DESIGN DWELLINGS

	D.R.1 & 2 ZONES (FEET)	D.R. 3.5, 5.5, 10.5, & 16 ZONES (FEET)	ALTERNATIVE SITE DESIGN DWELLINGS: ZERO & ZIPPER LOTS ALL D.R. ZONES (FEET)	ALTERNATIVE SITE DESIGN DWELLINGS: NEO-TRADITIONAL ALL D.R. ZONES (FEET)
FROM FRONT BUILDING FACE TO: PUBLIC STREET RIGHT-OF-WAY OR PROPERTY LINE	25	25	25	15
ARTERIAL OR COLLECTOR	–	–	–	25
* FROM SIDE BUILDING FACE TO: SIDE BUILDING FACE	30	16<20 HIGH 20>20 HIGH	16	16<20 HIGH 20>20 HIGH
PUBLIC STREET RIGHT-OF-WAY	25	15	15	15
PAVING OF A PRIVATE ROAD	30	25	25	25
TRACT BOUNDARY	25	15	15	15
FROM REAR BUILDING FACE TO: REAR PROPERTY LINE	30	30	20	50
PUBLIC STREET RIGHT-OF-WAY	30	30	20	50
ADDITIONAL SETBACKS: SETBACKS FOR BUILDINGS LOCATED ADJACENT TO ARTERIAL ROADWAYS SHALL BE INCREASED BY AN ADDITIONAL 20 FEET				
MAXIMUM BUILDING HEIGHT	50	50	50	50

THIS TABLE LISTS MINIMUM SETBACK REQUIREMENTS AND BUILDING HEIGHTS FOR URBAN RESIDENTIAL USE. FOR A FULLER EXPLANATION OF THESE AND OTHER REQUIREMENTS CONSULT THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP)

ENVELOPES OR TYPICAL DWELLINGS AS SHOWN DICTATE A SPECIFIC ORIENTATION WHICH IS INTENDED TO ALLOW COMPLIANCE WITH BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES. SHOULD THE ORIENTATION CHANGE OR CREATE CONFLICTS WITH THE REGULATIONS OR POLICIES, THE ORIENTATION MUST BE CHANGED TO ALLEVIATE THE CONFLICT.

THIS SITE IS SUBJECT TO SECTION 260, BCZR



MINIMUM BUILDING SETBACKS DETAIL

NOT TO SCALE

* 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.

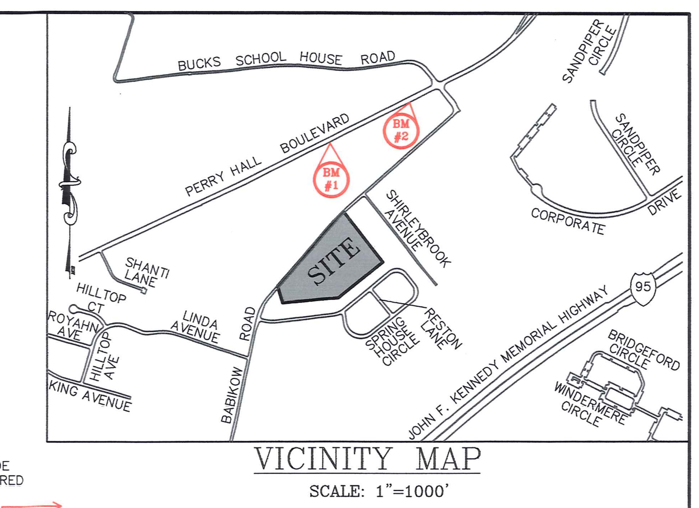
BENCHMARK

BM #1: AZ-128 ELEV. 151.27
BRASS CAP ON SOUTH SIDE OF PERRY HALL BOULEVARD. 1,190'± SOUTH WEST OF BUCKS SCHOOL HOUSE ROAD.
N 620,345.80 E 1,459,131.55

BM #2: GIS-128 ELEV. 169.56
BRASS DISC ON SOUTH SIDE OF PERRY HALL BOULEVARD, 350'± SOUTH WEST OF BUCKS SCHOOL HOUSE ROAD
N 620,728.90 E 1,459,875.48

SOILS CHART

SYMBOL	SOIL ASSOCIATION	SLOPES	CLASSIFICATION	K-FACTOR	CONSTRAINTS
RsC	RUSSETT FINE SANDY LOAM	5% – 10%	C	0.28	NOT HYDRIC
RuB	RUSSETT-URBAN LAND COMPLEX	0% – 5%	C	N/A	NOT HYDRIC
RuD	RUSSETT-URBAN LAND COMPLEX	5% – 15%	C	N/A	NOT HYDRIC
SaB	SASSAFRAS SANDY LOAM	2% – 5%	B	0.24	NOT HYDRIC
SaC	SASSAFRAS SANDY LOAM	5% – 10%	B	0.24	NOT HYDRIC
SaD	SASSAFRAS SANDY LOAM	5% – 10%	B	0.24	PARTIALLY HYDRIC
SfB	SASSAFRAS-URBAN LAND COMPLEX	0% – 5%	B	0.24	NOT HYDRIC
ShD	SASSAFRAS-CROOM-URBAN COMPLEX	5% – 15%	B	0.28	NOT HYDRIC



VICINITY MAP

SCALE: 1"=1000'

GENERAL NOTES

1. APPLICANT:
GEORGE J & LOUISE M MCNEAL
7827 BABIKOW ROAD
BALTIMORE, MD 21237
(410) 686-5483
2. SITE LOCATION
ELECTION DISTRICT: 14
COUNCILMANIC DISTRICT: 6
WATERSHED: WHITEMARSH RUN
CENSUS TRACT: 440600
REGIONAL PLANNING DISTRICT: ROSSVILLE (321)
DEED REFERENCES: 993/320
TAX ACCOUNT NO.: 1413014375
TAX MAP: 82 GRID: 7 PARCEL: 433
3. OWNER/DEVELOPER:
GEORGE J & LOUISE M MCNEAL
7827 BABIKOW ROAD
BALTIMORE, MD 21237
(410) 686-5483
4. TOPOGRAPHY SHOWN HEREON IS BASED ON BALTIMORE COUNTY 200 SCALE GIS TILE 82A2.
5. SOIL LINES AND TYPES SHOWN ARE BASED ON THE USDA-NRCS SOILS SURVEY GEOGRAPHIC DATABASE FOR BALTIMORE COUNTY PUBLISHED 02/17/2010.
6. PROPERTY OUTLINE IS TAKEN FROM A BOUNDARY SURVEY PREPARED BY LITTLE & ASSOCIATES, INC.
7. THE GRID SYSTEM SHOWN IS BASED ON THE MARYLAND COORDINATE SYSTEM NAD 83/91.

PLANNING AND ZONING NOTES

1. EXISTING ZONING IS DR-5.5, 200 SCALE MAP 82A2.
2. THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE 1971. 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 DWELLING.
3. ~~THIS SITE HAS NO PRIOR ZONING HISTORY.~~ A JOINT HEARING (CASE # 2012-329-SPH) HAS BEEN REQUESTED AS PART OF THIS PLAN.
4. AS THE PROPOSED UNITS ARE SINGLE FAMILY DWELLINGS, RTA DOES NOT APPLY.
5. EXISTING USE ON SITE: AGRICULTURAL.
6. EXISTING LAND USE WITHIN 200' OF SITE IS SINGLE FAMILY RESIDENTIAL AND AGRICULTURAL.
7. THERE ARE NO KNOWN ENDANGERED SPECIES HABITATS, ARCHEOLOGICAL OR HISTORICAL SITES, OR CONTAMINATED AREAS ON THE SUBJECT PROPERTY.
8. SITE SIGNAGE, IF ANY, WILL COMPLY WITH SECTION 450 OF THE BCZR AND ALL ZONING SIGNAGE POLICIES.
9. SCHOOL DISTRICTS:
FULLERTON ELEMENTARY SCHOOL
PARKVILLE MIDDLE SCHOOL
OVERLEA HIGH SCHOOL
10. ALL LOTS ARE FOR SALE.
11. A 20 FOOT LANDSCAPE BUFFER WILL BE PROVIDED ALONG BABIKOW ROAD, AND ~~MAY~~ WILL INCLUDE BERMING AND FENCING IN ACCORDANCE WITH CMDP AND BALTIMORE COUNTY LANDSCAPE MANUAL REQUIREMENTS.
12. LOTS 7, 8, 21, 23, 24, 28 & 30 ARE CORNER LOTS THAT HAVE A SIDE ELEVATION THAT FACES A PUBLIC RIGHT-OF-WAY AND ARE THEREFORE REQUIRED TO HAVE ARCHITECTURAL FEATURES AND TREATMENTS THAT ARE SIMILAR TO THOSE FOUND ON THE FRONT FACADE.
13. THE OFFICE OF PLANNING HAS SUBMITTED WRITTEN FINDINGS TO ENSURE COMPLIANCE WITH THE PERFORMANCE STANDARDS LISTED IN SECTION 260 OF THE BZCR (PER COUNTY COUNCIL BILLS 34-2001 AND 58-2001). THIS DEVELOPMENT AND ALL PROPOSED DWELLINGS WILL COMPLY WITH SAID OFFICE OF PLANNING WRITTEN FINDINGS AND THE PERFORMANCE STANDARDS AS SHOWN ON THIS PLAN. IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER, DEVELOPER, DEVELOPER'S ENGINEER, CONTRACT PURCHASER OR BUILDING PERMIT APPLICANT TO OBTAIN COMPLIANCE CERTIFICATION FROM THE OFFICE OF PLANNING PRIOR TO BUILDING PERMIT APPLICATION AND TO PRESENT THIS CERTIFICATION ON ANY BUILDING PERMIT SITE PLANS / PLOT PLANS.

PERMITS, APPROVALS & INSPECTIONS AND PUBLIC WORKS NOTES

1. TOTAL AVERAGE DAILY TRIPS (A.D.T.'S) FOR THIS SITE IS 300.
2. AREAS BETWEEN THE SIGHT LINE AND THE CURB LINE MUST BE CLEARED, GRADED, AND KEPT FREE OF ANY OBSTRUCTIONS.
3. THIS SITE IS NOT LOCATED WITHIN ANY DEFICIENT AREAS BASED ON THE 2010 BASIC SERVICES MAPS, PURSUANT TO SECTION 4A02, BCZR.
4. A LANDSCAPE PLAN IS REQUIRED AND WILL BE APPROVED PRIOR TO BUILDING PERMITS.
5. THE LOCATION OF DESIGN DETAILS SUCH AS FIRE HYDRANTS, STREET LIGHTS, WATER METERS, SEWER HOUSE CONNECTIONS, DRIVEWAYS, INLETS, ETC. ARE SHOWN; HOWEVER, THEIR SPECIFIC LOCATION(S) MAY CHANGE DURING FINAL DESIGN.
6. LANDSCAPE SCREENING WILL BE PROVIDED ALONG THE REAR OF LOTS ABUTTING EXISTING HOMES.
7. ON LOTS 1 THROUGH 10, PRIVACY FENCES MUST BE LOCATED A MINIMUM OF 20 FEET FROM THE PROPOSED RIGHT-OF-WAY LINE OF BABIKOW ROAD.
8. ALL EXISTING STRUCTURES ARE TO BE RAZED BY THE DEVELOPER PRIOR TO GRADING PERMIT.
9. A 10 FOOT REVERTIBLE SLOPE EASEMENT WILL BE PROVIDED ALONG BABIKOW ROAD RIGHT-OF-WAY

ENVIRONMENTAL IMPACT REVIEW NOTES

1. FOREST CONSERVATION REQUIREMENT WILL BE MET BY A COMBINATION OF ON-SITE PLANTING AND OFF-SITE PLANTING.
2. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION EASEMENT AND/OR FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY.
3. ANY FOREST CONSERVATION EASEMENT AND/OR FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY, AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
4. THIS SITE IS NOT LOCATED WITHIN A 100 YEAR FLOOD PLAIN.
5. THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
6. ACCESS TO THE FOREST BUFFER AND/OR FOREST CONSERVATION EASEMENTS WILL BE VIA SPRINGHOUSE CIRCLE AND BABIKOW ROAD RESPECTIVELY.
7. A SETBACK OF 35' MUST BE APPLIED FROM THE FOREST BUFFER AND/OR FOREST CONSERVATION EASEMENT AREAS.
8. A VARIANCE WAS GRANTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY FROM THE LAW FOR THE PROTECTION OF WATER QUALITY, STREAMS, WETLANDS, AND FLOODPLAINS ON JANUARY 17, 2012. (TRACKING # 06-11-1425). THIS VARIANCE APPROVED THE REDUCTION OF THE FOREST BUFFER FROM AN AVERAGE OF 165 FEET TO LESS THAN 100 FEED FROM THE WETLAND. CONDITIONS WERE PLACED ON THE APPROVAL TO REDUCE WATER QUALITY IMPACTS INCLUDING ESTABLISHMENT OF GOOD VEGETATIVE COVER WITHIN THE FOREST BUFFER AND INSTALLATION OF PERMANENT PROTECTIVE SIGNAGE AND MONUMENTS ALONG THE FOREST BUFFER EASEMENT. ANY CHANGE IN LAND USE SHALL NULLIFY THIS VARIANCE.
9. A FOREST CONSERVATION SPECIAL VARIANCE WAS APPROVED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY ON JUNE 29, 2012 (TRACKING # 06-12-1494) TO ALLOW FOR THE REMOVAL OF EIGHT SPECIMEN TREES.

GROUNDWATER MANAGEMENT NOTES

1. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS ON-SITE.
2. BOTH OF THE EXISTING WELLS MUST BE PROPERLY ABANDONED AND BACKFILLED BY A LICENSED WELL DRILLER PRIOR TO APPROVAL OF A RECORD PLAT, WITH WRITTEN DOCUMENTATION SUBMITTED TO DEPS.

LOCAL OPEN SPACE NOTES

1. OPEN SPACE REQUIRED–19,500 SF ACTIVE AND 10,500 SF PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION III.D.3; OPEN SPACE PROVIDED–0 SF ACTIVE AND 0 SF PASSIVE.
2. A WAIVER HAS BEEN REQUESTED AND A FEE IN LIEU IS TO BE PAID.

STORMWATER MANAGEMENT NOTES

1. STORMWATER MANAGEMENT FOR THIS PROJECT WILL BE MET ON-SITE.
2. ACCESS TO THE STORMWATER MANAGEMENT RESERVATION WILL BE VIA BABIKOW ROAD.

FIRE MARSHAL'S OFFICE NOTES

1. THE ACCESS ROADS THROUGH THE DEVELOPMENT SHALL NOT BE OBSTRUCTED FOR EMERGENCY APPARATUS IN ANY MANNER, INCLUDING THE PARKING OF VEHICLES. ALSO ANY TREES PLANTED SHALL NOT BE THE TYPE THAT WOULD INTERFERE WITH EMERGENCY APPARATUS WHEN MATURE. 2009 NFPA 1 FIRE CODE SECTION 18.2.4.1
2. REFER TO THE PROVISIONS OF THE BALTIMORE COUNTY FIRE PREVENTION CODE BILL #48-10 SECTION 1:10.12.1.5, REGARDING THE ADDRESS NUMBERS FOR RESIDENTIAL PROPERTIES BEING A MINIMUM OF 3 INCHES IN SIZE.
3. A SEPARATE BUILDING PERMIT IS REQUIRED FOR THE INSTALLATION OF A RESIDENTIAL SPRINKLER SYSTEM FOR EACH INDIVIDUAL DWELLING.
4. THE RESIDENTIAL SPRINKLER SYSTEM SHALL BE INSPECTED BY AND APPROVED BY THE BALTIMORE COUNTY FIRE MARSHAL'S OFFICE PRIOR TO OCCUPANCY.

ADJACENT OWNERS

SPRINGHOUSE STATION, PLAT 1 OF 2 (68/62)

#5028 SPRINGHOUSE CIRCLE
ERIC BRAUNER
PLAT: 68/62; LOT: 28
DEED: 28656/453
TAX ACCT #: 2200025925
"RESIDENTIAL"

#5026 SPRINGHOUSE CIRCLE
PASKALIS & PANAGIOTA PAGONAKIS
PLAT: 68/62; LOT: 29
DEED: 12391/456
TAX ACCT #: 2200025926
"RESIDENTIAL"

#5024 SPRINGHOUSE CIRCLE
ROSE MARIE WHITE
PLAT: 68/62; LOT: 30
DEED: 12375/677
TAX ACCT #: 2200025927
"RESIDENTIAL"

#5022 SPRINGHOUSE CIRCLE
CINDY NGUYEN & QUI PHUONGLE PHAN
PLAT: 68/62; LOT: 31
DEED: 16843/499
TAX ACCT #: 2200025928
"RESIDENTIAL"

#5020 SPRINGHOUSE CIRCLE
BENTLEY T DIXON
PLAT: 68/62; LOT: 32
DEED: 12176/191
TAX ACCT #: 2200025929
"RESIDENTIAL"

SPRINGHOUSE STATION, PLAT 1 OF 2 (68/62) (CONTINUED)

#5018 SPRINGHOUSE CIRCLE
ERIC A & ALICE L BROOKS
PLAT: 68/62; LOT: 33
DEED: 12538/1
TAX ACCT #: 2200025930
"RESIDENTIAL"

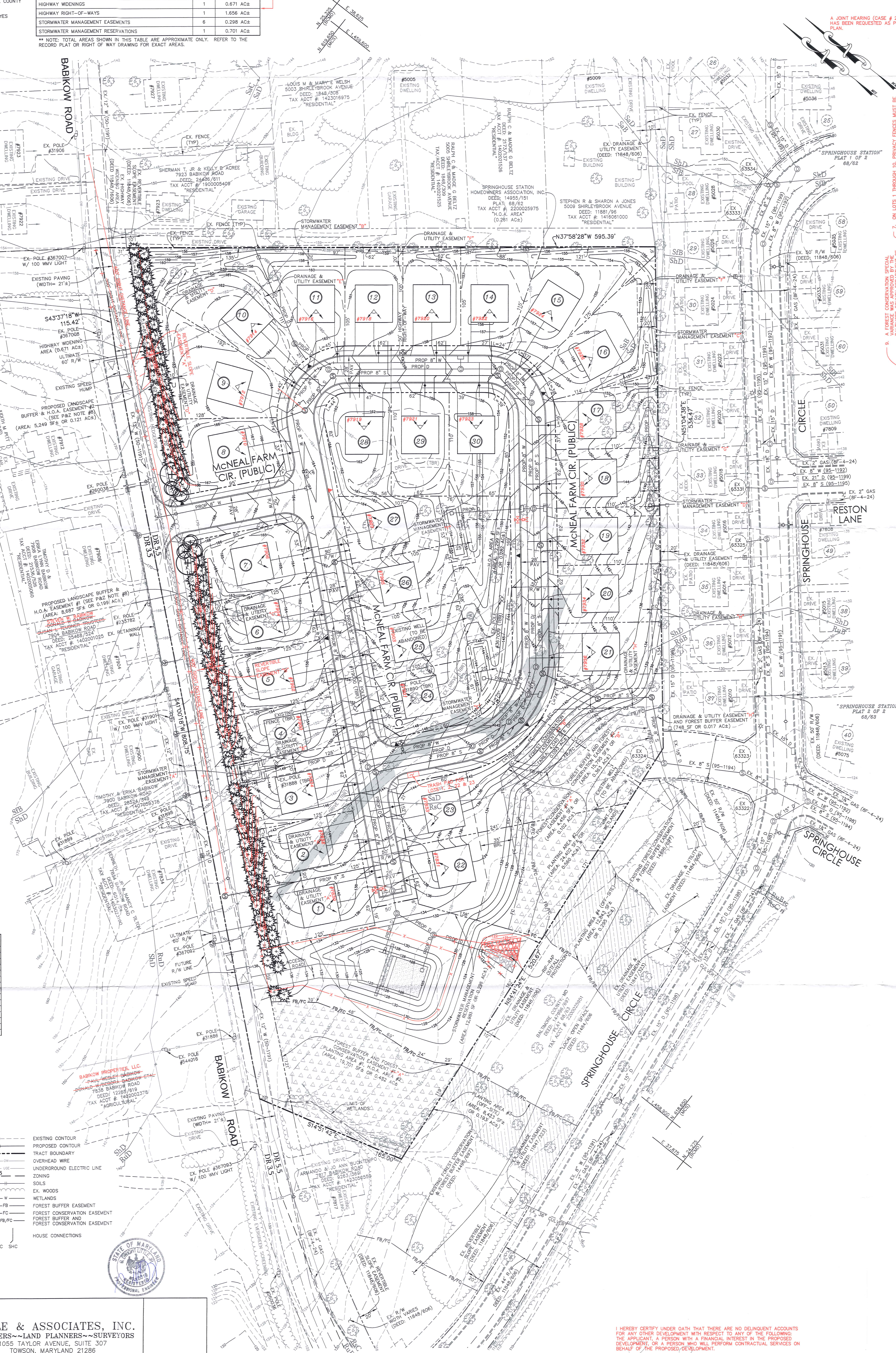
#5016 SPRINGHOUSE CIRCLE
JAMES J & JOY YEAGER SWEENEY
PLAT: 68/62; LOT: 34
DEED: 14728/634
TAX ACCT #: 2200025931
"RESIDENTIAL"

#5014 SPRINGHOUSE CIRCLE
FRANK BABUSCI & RENEE MIGLIACCIO
PLAT: 68/62; LOT: 35
DEED: 19649/396
TAX ACCT #: 2200025932
"RESIDENTIAL"

SPRINGHOUSE STATION, PLAT 2 OF 2 (68/63)

#5012 SPRINGHOUSE CIRCLE
DAVID L & FRANCES N MCVAUGH
PLAT: 68/63; LOT: 36
DEED: 14040/413
TAX ACCT #: 2200025965
"RESIDENTIAL"

#5010 SPRINGHOUSE CIRCLE
COLIN & DEBORAH ROUSE
PLAT: 68/63; LOT: 37
DEED: 25403/53
TAX ACCT #: 2200025966
"RESIDENTIAL"



LOT AREA TABLE

LOT NO.	AREA (AC)	LOT NO.	AREA (AC)
1	0.178	16	0.237
2	0.178	17	0.166
3	0.178	18	0.157
4	0.178	19	0.157
5	0.178	20	0.157
6	0.178	21	0.383
7	0.190	22	0.429
8	0.206	23	0.405
9	0.296	24	0.158
10	0.326	25	0.149
11	0.186	26	0.149
12	0.149	27	0.153
13	0.149	28	0.167
14	0.169	29	0.152
15	0.237	30	0.162

LEGEND

69.5	EX. SPOT ELEVATION	— —541— —	EXISTING CONTOUR
69x5	PROP SPOT ELEVATION	—406—	PROPOSED CONTOUR
Ⓢ	SANITARY MANHOLE		TRACT BOUNDARY
Ⓓ	STORM DRAIN MANHOLE	—OW—	OVERHEAD WIRE
Ⓜ	WATER METER	—UGE—	UNDERGROUND ELECTRIC LINE
	FIRE HYDRANT	DR 5.5	ZONING
	WATER VALVE	SaD	SOILS
CO	CLEANOUT		EX. WOODS
▲	PROPOSED STREETLIGHT	—W—	WETLANDS
	UTILITY POLE	—FB—	FOREST BUFFER EASEMENT
	ELECTRIC TRANSFORMER	—FC—	FOREST CONSERVATION EASEMENT
MB	MAILBOX	—FB/FC—	FOREST BUFFER AND FOREST CONSERVATION EASEMENT
(TBR)	TO BE REMOVED	WHC SHC	HOUSE CONNECTIONS
	EXISTING TREE		
	SLOPES > 25%		
	AFFORESTATION AREA		
	OFFSITE PLANTING AREA		
	LANDSCAPE BUFFER		

STATE OF MARYLAND
G. DWIGHT LITTLE, JR.
NO. 16019
REGISTERED PROFESSIONAL ENGINEER

LITTLE & ASSOCIATES, INC.
ENGINEERS~~LAND PLANNERS~~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE HEARING OFFICER'S ORDER DATED , AND HAVE PREPARED WITH DUE DILIGENCE THIS DEVELOPMENT PLAN, PURSUANT TO THAT ORDER.

~~NOTE:~~
~~I, G. DWIGHT LITTLE, JR. CERTIFY UNDER OATH THAT TO THE BEST OF MY KNOWLEDGE, 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.~~

I HEREBY 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.

Steven D. Rosen 9.27.12
SIGNATURE DATE
STEVEN D. ROSEN
PRINT NAME

DEVELOPER'S EXHIBIT 1

PETITIONER'S EXHIBIT 3

REDLINE AS PRESENTED AT H.O.H.
(9/27/2012)

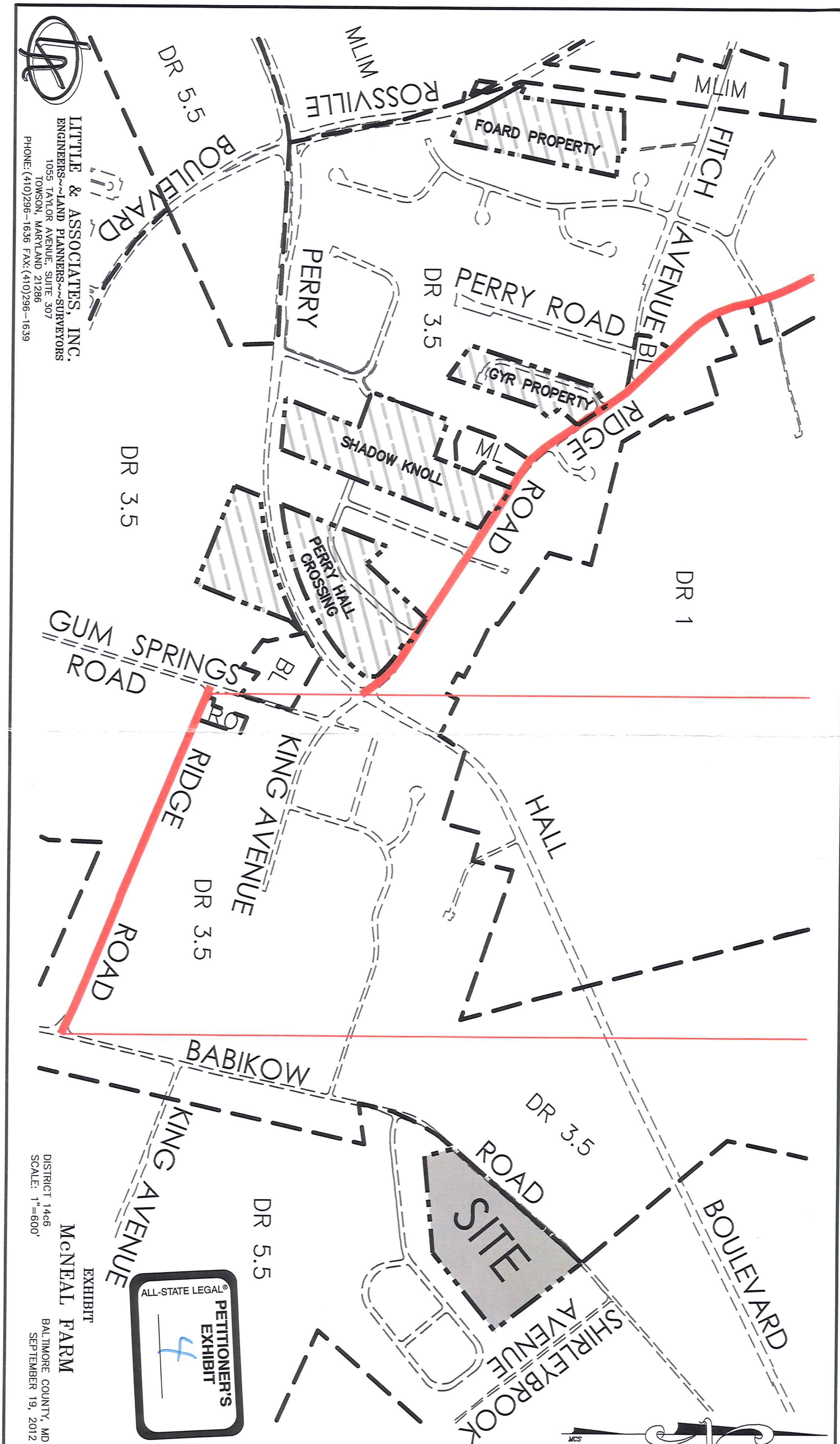
DEVELOPMENT PLAN AND
PLAN TO ACCOMPANY
SPECIAL HEARING APPLICATION

McNEAL FARM

DISTRICT 14c6
SCALE: 1"=40'
PAI FILE # 14-487

BALTIMORE COUNTY, MD
JUNE 25, 2012

Y:\MCNEAL FARM 11519\dwg\DEVELOPMENT PLAN - REDLINE.dwg, 9/26/2012 3:20:56 PM, DesignJet 500+HPGL2 (C7770B).pc3, User286, 1:40


ROSSVILLE
BOULEVARD
DR 5.5
MLIM
FOARD PROPERTY
FITCH AVENUE
PERRY ROAD
PERRY
DR 3.5
GYR PROPERTY
SHADOW KNOLL
ML
RIDGE ROAD
PERRY HALL CROSSING
DR 1
GUM SPRINGS ROAD
BL
KING AVENUE
HALL
RIDGE ROAD
BABIKOW ROAD
SITE
SHIRLEYBROOK AVENUE
BOULEVARD
DR 5.5
LITTLE & ASSOCIATES, INC.
ENGINEERS~LAND PLANNERS~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE:(410)296-1636 FAX:(410)296-1639
EXHIBIT
McNEAL FARM
BALTIMORE COUNTY, MD
SEPTEMBER 19, 2012
DISTRICT 14c6
SCALE: 1"=600'
ALL-STATE LEGAL®
PETITIONER'S EXHIBIT
4

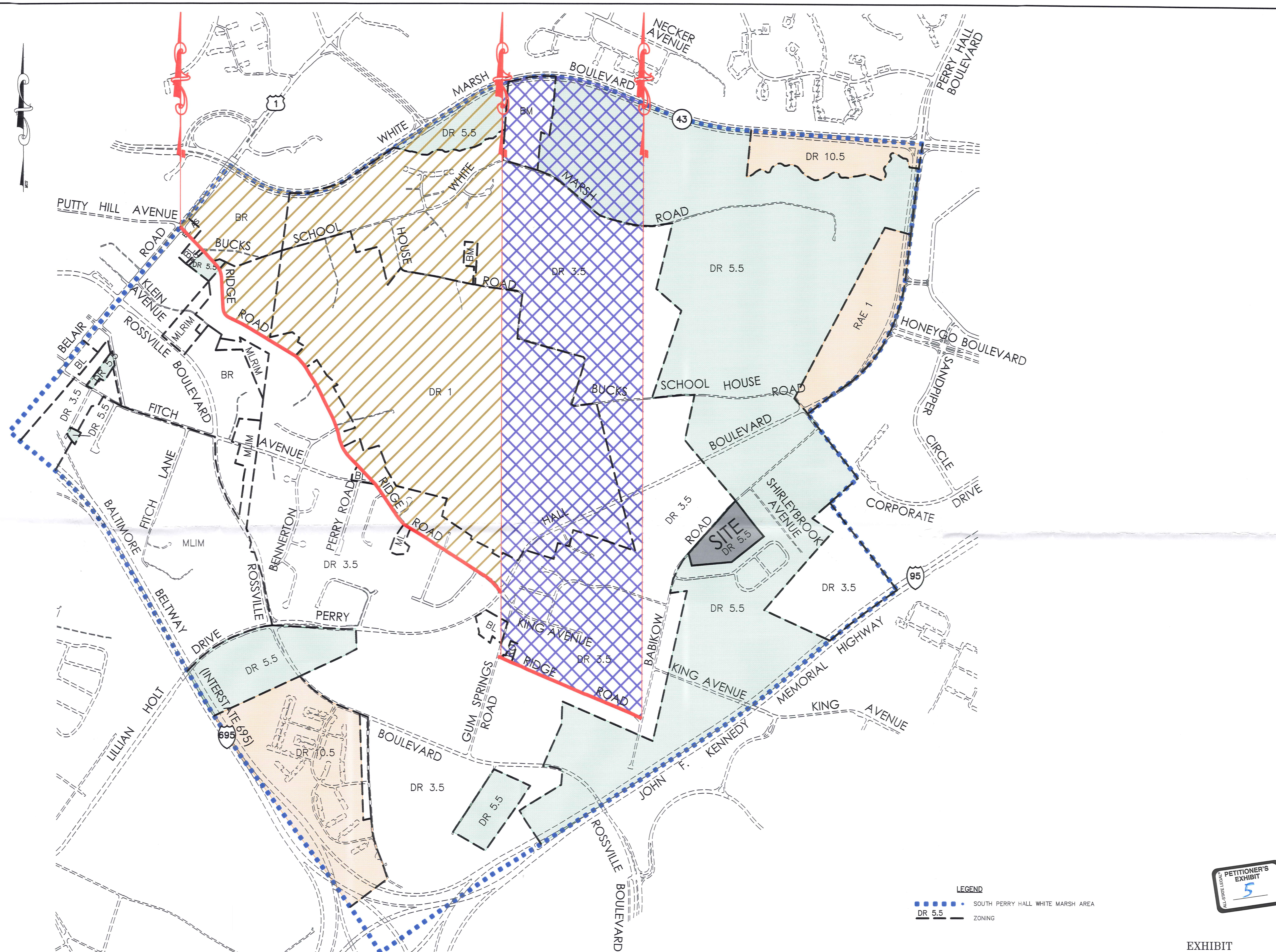
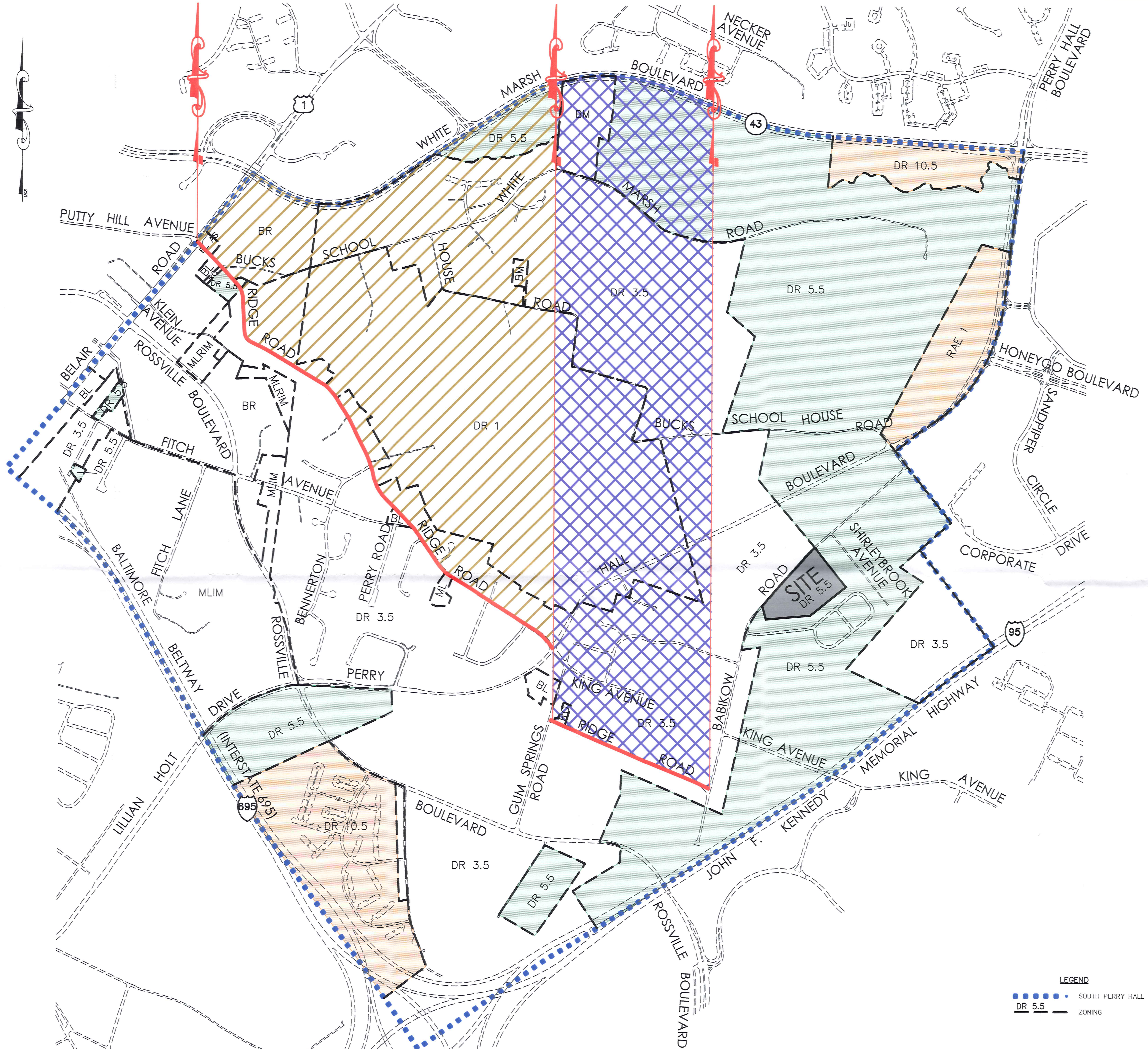


EXHIBIT
SOUTH PERRY HALL – WHITE MARSH
AREA PLAN
McNEAL FARM

DISTRICT 14c6
SCALE: 1"=600'

BALTIMORE COUNTY, MD
SEPTEMBER 19, 2012

LITTLE & ASSOCIATES, INC.
ENGINEERS~~LAND PLANNERS~~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639



LEGEND

SOUTH PERRY HALL WHITE MARSH AREA

DR 5.5 ZONING

PETITIONER'S EXHIBIT 5

EXHIBIT
SOUTH PERRY HALL – WHITE MARSH
AREA PLAN

McNEAL FARM

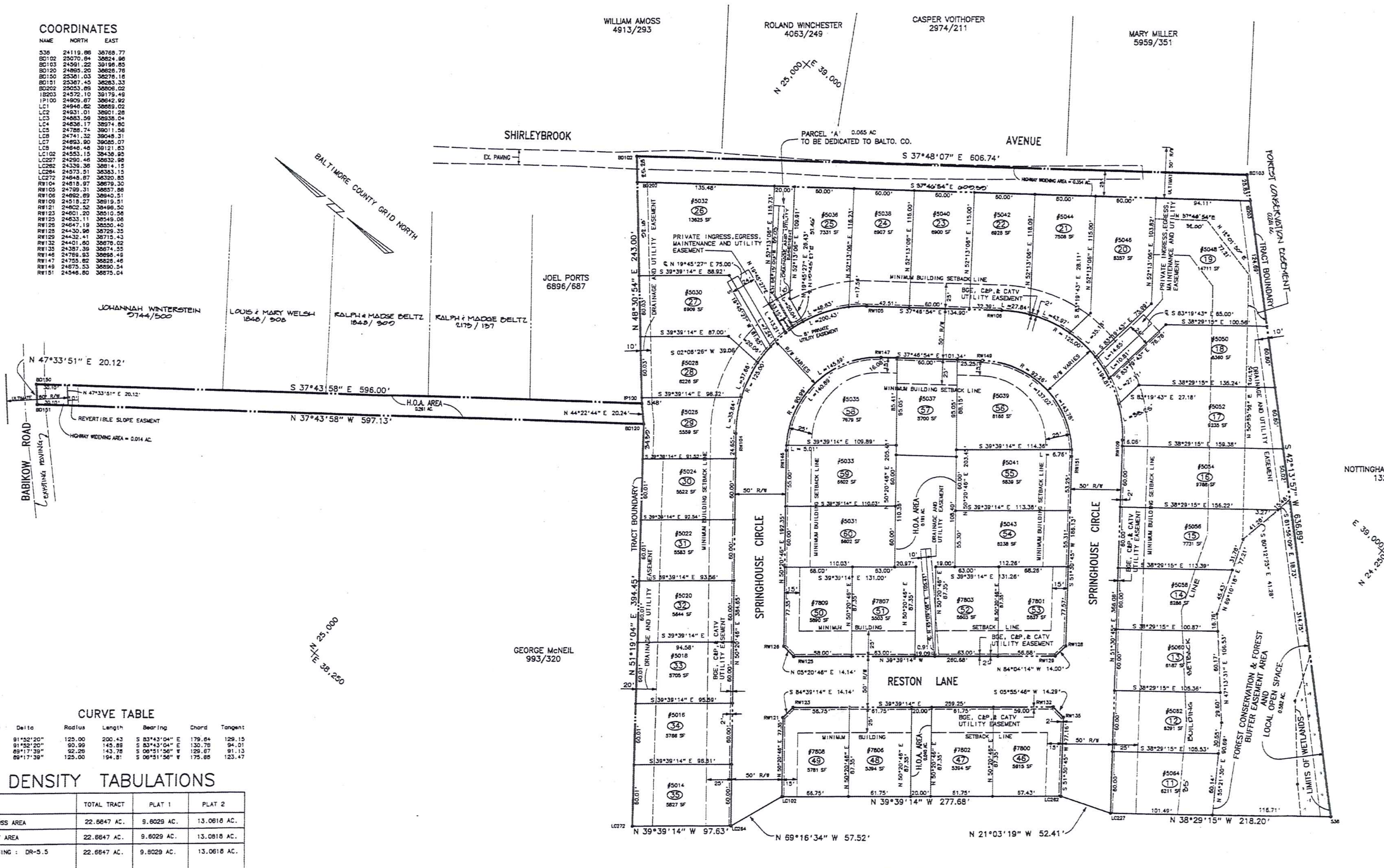
DISTRICT 14c6
SCALE: 1"=600'

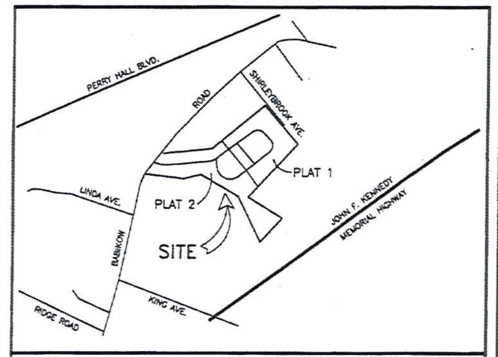
BALTIMORE COUNTY, MD
SEPTEMBER 19, 2012

LITTLE & ASSOCIATES, INC.
ENGINEERS~~LAND PLANNERS~~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639

COORDINATES

NAME	NORTH	EAST
536	24119.66	38768.77
BD102	25070.64	38824.96
BD103	24591.22	39196.85
BD120	24895.20	38826.76
BD150	25361.03	38276.16
BD151	25367.45	38283.33
BD202	25053.69	38806.02
IB203	24572.10	39179.49
IP100	24909.67	38642.92
LC1	24946.62	38669.02
LC2	24931.01	38901.28
LC3	24683.59	38938.04
LC4	24636.17	38974.80
LC5	24788.74	39011.56
LC6	24741.32	39048.31
LC7	24693.90	39085.07
LC8	24646.48	39121.83
LC102	24553.15	38438.95
LC227	24290.46	38832.98
LC262	24339.36	38814.15
LC264	24573.51	38383.15
LC272	24648.67	38320.85
RW104	24818.97	38679.30
RW105	24799.31	38857.66
RW106	24692.69	38940.51
RW109	24518.27	38919.51
RW121	24602.52	38496.50
RW123	24601.20	38510.58
RW125	24633.11	38549.08
RW126	24647.19	38550.40
RW128	24430.96	38729.35
RW129	24432.41	38715.43
RW132	24401.60	38676.02
RW135	24387.39	38674.55
RW146	24769.93	38898.49
RW147	24755.62	38828.46
RW149	24675.53	38890.54
RW151	24546.60	38875.04





LOCATION MAP SCALE: 1" = 1000'

Filed for record
S.M. 6 6 FOLIO 6 2
Date MAR 14 1996
Test: [signature]
Clerk

NOTES

1. Highways and highway widenings, slope easements, drainage and utility easements, access easements, forest conservation easement, forest buffer areas in fee or easement, greenway areas in fee or easement, and stormwater management areas, no matter how entitled, shown hereon, are reserved unto the owner and, except for those indicated as private, are hereby offered for dedication to Baltimore County, Maryland. The Owner, his personal representatives and assigns will convey said areas by deed, to Baltimore County, Maryland, at no cost. Until such time as said conveyance is accepted by Baltimore County, the owner authorizes Baltimore County, its agents and assigns, the right to enter upon the property for the purpose of installing, constructing, maintaining and repairing roads, utility lines and facilities, and storm water management ponds and facilities.
2. Streets and/or roads shown hereon and the mention thereof in deeds are for purposes of description only, and the same are not intended to be dedicated to public use: the fee simple title to the beds thereof is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.
3. This plat may expire in accordance with the provisions of the Baltimore County Code, section 26-216.
4. The recording of this plat does not guarantee the installation of streets or utilities by Baltimore County.
5. The information shown hereon may be superseded by a subsequent or amended plat.
6. Additional information concerning this plat may be obtained from the Baltimore County Office of Planning and Zoning and the Department of Public Works.
7. The recording of this plat does not constitute or imply acceptance by the county of any street, easement, park, open space or other public area shown on the plat.
8. The Owner/Developer will comply with the best management practices adopted by the Baltimore County Department Of Environmental Protection And Resource Management.
9. The plan for the property shown this plat was approved on 6/20/95.
10. Except as otherwise indicated, all building restriction lines shown hereon have been placed as the result of an interpretation only of currently applicable regulations and policies of the Baltimore County Office of Planning and Zoning. Exceptions to these restrictions may apply.
11. Roads stormdrains and utilities have been designed by a Professional Engineer (P.E. #12063).
12. There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer Easement and/or the Forest Conservation Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
13. Any Forest Buffer Easement and/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.
14. The wetlands limits have been determined from field inspection by the Baltimore County Department of Environmental Protection. No grading, clearing or construction will be conducted in this area except as permitted in the Water Quality Management Policy.
15. The area designated as floodplain includes the area inundated by the 100-year frequency storm and a minimum of 1 foot vertical freeboard. The elevations shown on the floodplain sections are the 100-year design frequency surface elevations.
16. This site is located in the SOUTH FORK WHITEMARSH RUN drainage area.
17. Deed reference: 11011/631.
18. Tax Account Number: 14-10-025560.
19. Trash collection, snow removal and road maintenance are to be provided to the junction of the panhandle and street R/W.

ALL-STATE LEGAL® PETITIONER'S EXHIBIT 11

CURVE TABLE

Name	Delta	Radius	Length	Bearing	Chord	Tangent
C 1	91°52'20"	125.00	200.43	S 83°43'04" E	179.64	129.15
C 2	91°52'20"	90.99	145.89	S 83°43'04" E	130.78	94.01
C 3	89°17'39"	92.26	143.78	S 06°51'56" W	129.67	91.13
C 4	89°17'39"	125.00	194.81	S 06°51'56" W	175.66	123.47

DENSITY TABULATIONS

	TOTAL TRACT	PLAT 1	PLAT 2
GROSS AREA	22.6647 AC.	9.6029 AC.	13.0618 AC.
NET AREA	22.6647 AC.	9.6029 AC.	13.0618 AC.
ZONING : DR-5.5	22.6647 AC.	9.6029 AC.	13.0618 AC.
DWELLING UNITS ALLOWED	22.6647*5.5 = 124.7	9.6029*5.5 = 52.8	13.0618*5.5 = 71.8
DWELLING UNITS PROPOSED	60	40	20
OPEN SPACE REQUIRED	60*650 S.F. = 0.895AC.	40*650 S.F. = 0.597AC.	20*650 S.F. = 0.298AC.
OPEN SPACE PROVIDED	5.718 AC. *	0.582 AC.	5.136 AC. *
PARKING SPACES REQUIRED	60*2 =120	40*2 =80	20*2 =40
PARKING SPACES PROVIDED	120	80	40

* 50% OF FLOOD PLAIN RESERVATION INCLUDED (1.199 AC.)

COORDINATES and BEARINGS shown on this plat are referred to the system of coordinates established in The Baltimore County Metropolitan District and are based on the following traverse stations:

X-4878	N 24,897.40	E 37,836.22
16273	N 24,445.90	E 37,468.01

P.W.A. COMPLETED: 149503 TEG
FINAL PLAT: PCM [illegible]
~~BUREAU OF ENGINEERING AND CONSTRUCTION:~~
~~DEV. DESIGN:~~
DEV. ENGINEER: RWB 2/29/96
STREETS, NUMBERING: [signature] 2/22/96
~~PLANNING:~~ REC & PARKS: MGL 2/22/96
LAND ACQUISITION: TEG 2-29-96

OWNERS CERTIFICATE:

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

[signature] 10/9/95
SIDNEY C. EMMER PRESIDENT DATE

SURVEYORS CERTIFICATE:

The undersigned, a registered property line surveyor of The State of Maryland, does hereby certify that he is the surveyor who prepared this plat and that the land shown on this plat has been laid out and the plat thereof has been prepared, in compliance with Subsection (C) of Section 3-108 of The Real Property Article of The Annotated Code of Maryland particularly insofar as same concerns the making of plat and setting of markers.

[signature] 10/9/95
BERNARD F. LINSENMEYER III DATE

DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
[signature] 3.8.96
DIRECTOR DATE

APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT PURSUANT TO SECTION 26-215(c), BALTIMORE COUNTY CODE
DATE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT

OWNER/DEVELOPER
SHIRLEYBROOK DEVELOPMENT CORP.
1801 FALLS ROAD
BALTIMORE, MARYLAND 21201
(410) 685-5200

COMPUTED BY: D.R.S.
CHECKED BY: B.F.L.
DRAWN BY: D.R.S.
P.N.: 1595

PLAT 1 OF 2

SPRINGHOUSE STATION

14TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50' DATE: AUGUST 4, 1995

CIVIL ENGINEERS – SITE PLANNERS – LANDSCAPE ARCHITECTS – SURVEYORS
D. S. THALER & ASSOCIATES, INC.
7115 AMBASSADOR ROAD
BALTIMORE, MD 21244
(410) 944-3647

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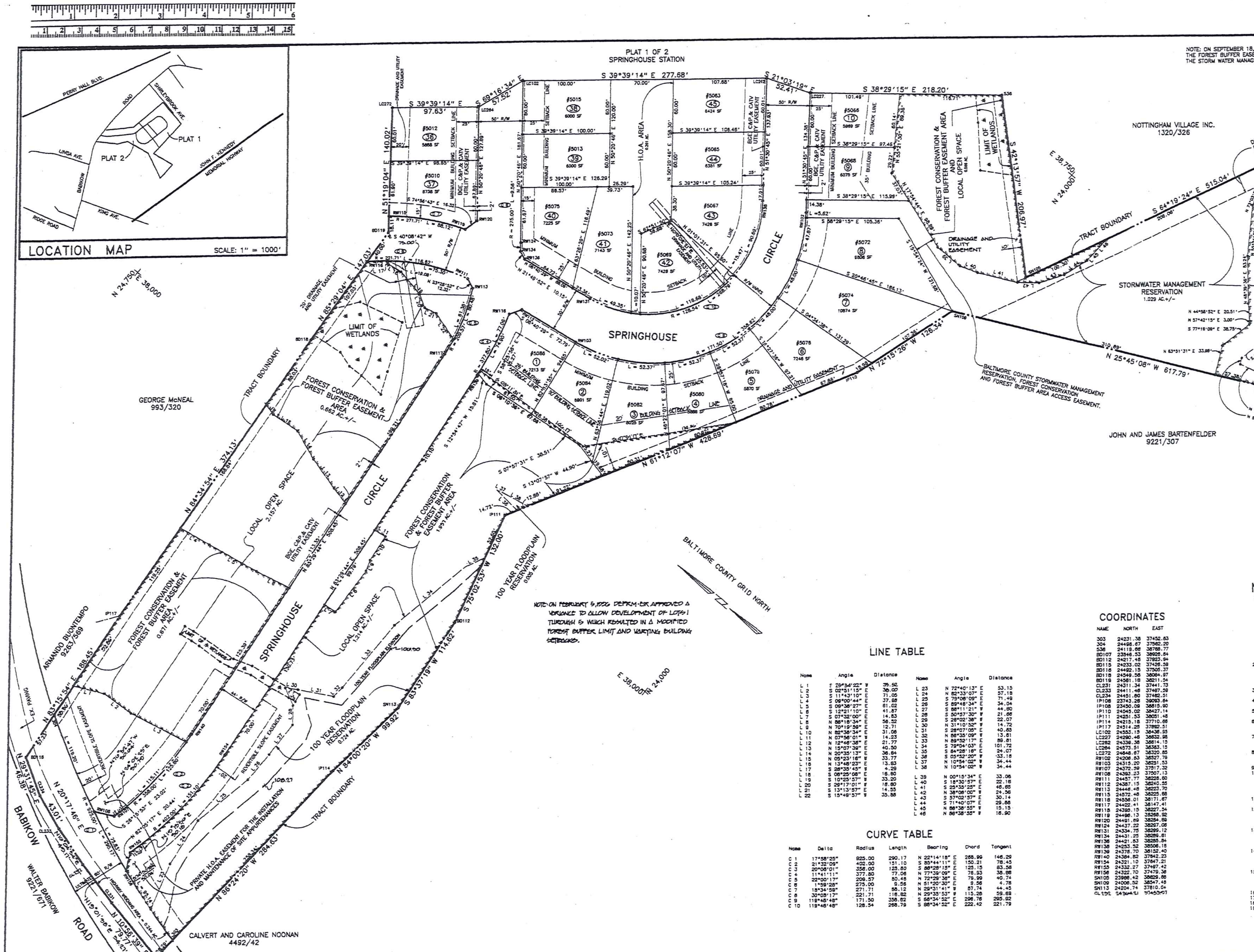

Filed for record
S.M. 6 8 FOLIO 6 3
Date MAR 14 1996
Test:
Clerk

LINE TABLE

Name	Angle	Distance	Name	Angle	Distance
L 1	S 25°34'22" W	35.52	L 23	N 72°40'13" E	53.15
L 2	S 02°51'15" E	36.00	L 24	N 82°33'07" E	57.18
L 3	S 11°43'10" E	71.05	L 25	S 79°06'09" E	71.49
L 4	S 09°00'44" E	37.98	L 26	S 89°48'34" E	34.04
L 5	S 09°36'27" E	81.02	L 27	S 88°11'21" W	44.80
L 6	S 12°21'10" E	41.87	L 28	S 50°57'30" W	21.66
L 7	S 07°32'00" E	14.83	L 29	S 28°02'38" W	22.07
L 8	N 86°18'34" E	56.52	L 30	N 31°10'52" W	14.72
L 9	N 70°19'59" E	12.71	L 31	S 28°07'05" E	40.85
L 10	N 82°36'34" E	31.06	L 32	N 86°35'09" W	13.61
L 11	N 07°56'01" W	14.23	L 33	N 89°52'17" E	89.81
L 12	N 12°46'36" E	21.77	L 34	S 79°04'03" E	101.72
L 13	N 15°07'39" E	40.50	L 35	S 84°26'16" E	24.07
L 14	N 20°35'13" E	36.64	L 36	S 05°52'20" W	33.18
L 15	N 05°23'16" W	33.77	L 37	N 10°54'02" W	34.44
L 16	N 13°48'23" E	13.63	L 38	N 10°54'02" W	34.44
L 17	S 28°35'45" W	4.29	L 39	N 00°15'34" E	33.06
L 18	S 06°25'08" E	16.60	L 40	S 18°30'57" E	22.16
L 19	S 10°25'57" W	33.20	L 41	S 25°35'25" E	46.65
L 20	S 29°17'01" W	18.60	L 42	N 38°06'00" W	24.56
L 21	S 13°13'57" E	14.55	L 43	S 57°02'57" E	30.14
L 22	S 15°49'57" W	35.88	L 44	S 71°40'07" E	29.86
			L 45	N 86°38'55" W	15.15
			L 46	N 86°38'55" W	16.90

CURVE TABLE

Name	Delta	Radius	Length	Bearing	Chord	Tangent
C 1	17°58'25"	925.00	290.17	N 22°14'18" E	288.99	146.29
C 2	21°32'09"	402.00	151.10	S 85°44'11" E	150.21	78.45
C 3	20°08'01"	358.00	125.80	S 86°28'15" E	125.15	63.56
C 4	11°41'11"	377.80	77.06	N 77°39'09" E	76.93	38.66
C 5	22°00'17"	209.57	80.48	N 72°29'36" E	79.99	40.74
C 6	1°59'28"	275.00	9.56	N 51°20'30" E	9.56	4.78
C 7	18°34'58"	271.71	88.12	N 29°31'41" W	87.74	44.45
C 8	30°08'17"	221.71	116.62	N 29°35'53" W	115.28	59.69
C 9	119°48'48"	171.50	358.62	S 66°34'52" E	296.76	295.92
C 10	119°48'48"	128.54	268.79	S 86°34'52" E	222.42	221.79

COORDINATES

NAME	NORTH	EAST
303	24231.38	37452.63
304	24498.67	37582.20
536	24119.66	38768.77
BD107	23546.53	38926.64
BD112	24217.48	37823.94
BD115	24233.02	37426.59
BD116	24492.15	37505.37
BD118	24549.56	38084.97
BD119	24581.18	38211.54
CL231	24311.34	37441.73
CL233	24411.46	37467.59
CL234	24451.60	37482.51
IP106	23743.28	39093.64
IP108	23450.09	38815.90
IP110	24045.02	38427.14
IP111	24251.53	38051.46
IP114	24215.18	37710.66
IP117	24514.25	37892.51
LC102	24553.15	38436.95
LC227	24290.46	38632.98
LC262	24339.36	38614.15
LC264	24573.51	38383.15
LC272	24646.67	38320.85
RW102	24206.63	38527.79
RW103	24315.20	38251.53
RW107	24372.59	37517.32
RW108	24393.23	37507.13
RW111	24457.77	38226.60
RW112	24387.15	38240.55
RW113	24446.46	38223.70
RW115	24572.46	38225.68
RW116	24556.01	38171.67
RW117	24422.41	38147.41
RW118	24395.15	38227.54
RW119	24496.13	38268.92
RW120	24491.69	38264.69
RW124	24437.22	38297.06
RW131	24334.75	38299.12
RW134	24431.25	38289.61
RW136	24421.63	38285.84
RW138	24253.52	38506.16
RW139	24378.70	38152.40
RW140	24384.62	37842.23
RW154	24321.10	37847.21
RW155	24332.27	37497.42
RW156	24322.70	37479.36
SN105	23966.42	38629.66
SN109	24006.52	38547.46
SN113	24204.74	37810.04
CL252	24364.21	37453.07

NOTES

1. Highways and highway widenings, slope easements, drainage and utility easements, access easements, forest conservation easement, forest buffer areas in fee or easement, greenway areas in fee or easement, and stormwater management areas, no matter how entitled, shown hereon, are reserved unto the owner and, except for those indicated as private, are hereby offered for dedication to Baltimore County, Maryland. The Owner, his personal representatives and assigns will convey said areas by deed, to Baltimore County, Maryland, at no cost. Until such time as said conveyance is accepted by Baltimore County, the owner authorizes Baltimore County, its agents and assigns, the right to enter upon the property for the purpose of installing, constructing, maintaining and repairing roads, utility lines and facilities, and storm water management ponds and facilities.
2. Streets and/or roads shown hereon and the mention thereof in deeds are for purposes of description only, and the same are not intended to be dedicated to public use; the fee simple title to the beds thereof is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.
3. This plat may expire in accordance with the provisions of the Baltimore County Code, section 26-216.
4. The recording of this plat does not guarantee the installation of streets or utilities by Baltimore County.
5. The information shown hereon may be superseded by a subsequent or amended plat.
6. Additional information concerning this plat may be obtained from the Baltimore County Office of Planning and Zoning and the Department of Public Works.
7. The recording of this plat does not constitute or imply acceptance by the county of any street, easement, park, open space or other public area shown on the plat.
8. The Owner/Developer will comply with the best management practices adopted by the Baltimore County Department Of Environmental Protection And Resource Management.
9. The plan for the property shown this plat was approved on 6/20/95.
10. Except as otherwise indicated, all building restriction lines shown hereon have been placed as the result of an interpretation only of currently applicable regulations and policies of the Baltimore County Office of Planning and Zoning. Exceptions to these restrictions may apply.
11. Roads stormdrains and utilities have been designed by a Professional Engineer (P.E. #12083).
12. There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer Easement and/or Forest Conservation Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
13. Any Forest Buffer Easement and/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.
14. The wetlands limits have been determined from field inspection by the Baltimore County Department of Environmental Protection. No grading, clearing or construction will be conducted in this area except as permitted in the Water Quality Management Policy.
15. The area designated as floodplain includes the area inundated by the 100-year frequency storm and a minimum of 1 foot vertical freeboard. The elevations shown on the floodplain sections are the 100-year design frequency surface elevations.
16. This site is located in the SOUTH FORK WHITEMARSH RUN drainage area.
17. Deed reference: 11011/831.
18. Tax Account Number: 14-10-025580.
19. The approval of this plat is based upon a reasonable expectation that the water and sewer service which is planned for the development will be available when needed. However, building permits may not be issued until the planned water and sewer facilities are completed and determined to be adequate to serve the proposed development.

ALL-STATE LEGAL® PETITIONER'S EXHIBIT 12

COORDINATES and BEARINGS shown on this plat are referred to the system of coordinates established in The Baltimore County Metropolitan District and are based on the following traverse stations:

X-4878	N 24,897.40	E 37,836.22
16273	N 24,445.90	E 37,468.01

P.W.A. COMPLETED: 149503 TEG
FINAL PLAT: [illegible]
~~BUREAU OF ENGINEERING AND CONSTRUCTION:~~
~~DEV. DESIGN:~~
DEV. ENGINEER: [illegible]
STREETS, NUMBERING: [illegible] 2/23/96
~~PLANNING:~~ REC & PARKS [illegible] 2/22/96
LAND ACQUISITION: TEG 1.29.96

OWNERS CERTIFICATE:

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

SIDNEY C. EMMER PRESIDENT 10/9/95 DATE

SURVEYORS CERTIFICATE:

The undersigned, a registered property line surveyor of The State of Maryland, does hereby certify that he is the surveyor who prepared this plat and that the land shown on this plat has been laid out and the plat thereof has been prepared, in compliance with Subsection (C) of Section 3-108 of The Real Property Article of The Annotated Code of Maryland particularly insofar as same concerns the making of plat and setting of markers.

BERNARD F. LINSENMEYER III 10/9/95 DATE

DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
DIRECTOR 3.8.96 DATE

APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT PURSUANT TO SECTION 26-215(c), BALTIMORE COUNTY CODE
DATE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT

OWNER/DEVELOPER
SHIRLEYBROOK DEVELOPMENT CORP.
1801 FALLS ROAD
BALTIMORE, MARYLAND 21201
(410) 685-5200

COMPUTED BY: D.R.S.
CHECKED BY: B.F.L.
DRAWN BY: D.R.S.
P.N.: 1595

PLAT 2 OF 2
SPRINGHOUSE STATION
14TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50' DATE: AUGUST 4, 1995

CIVIL ENGINEERS - SITE PLANNERS - LANDSCAPE ARCHITECTS - SURVEYORS
D. S. THALER & ASSOCIATES, INC.
7115 AMBASSADOR ROAD
BALTIMORE, MD 21244
(410) 944-3647

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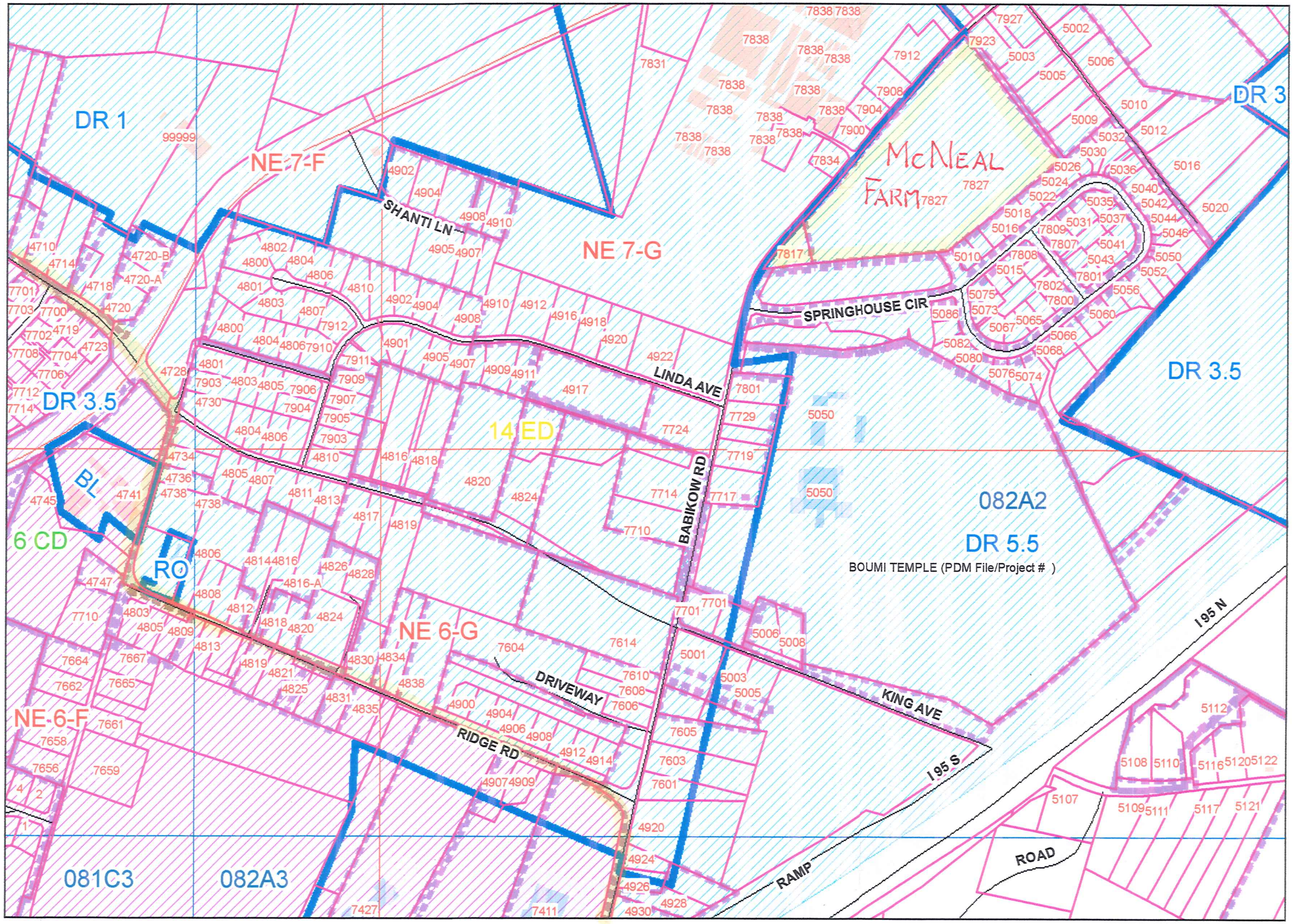
MSA SSU 1236-9412-2

Location of McNeal Farm in proximity to Ridge Road



Publication Date: July 09, 2012
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

N W E S

0 600 1,200 Feet

1 inch = 400 feet

SITE AREA CALCULATION

NET TRACT AREA: 9.919 ACRES
ALLOWANCE FOR ROAD FRONTAGE [(0' X0')/43560]: 0.000 ACRES
GROSS AREA: 9.919 ACRES

SITE DATA

EXISTING ZONING AND MAXIMUM DENSITY PERMITTED

ZONE	ACRES	UNITS ALLOWED	DENSITY UNITS	UNITS PROPOSED
DR 5.5	9.919	54.555	54	30
TOTAL	9.919	54.555	54	30

COUNTY ADOPTED PLANS

EXISTING	NOT EXISTING	IN CONFORMANCE	
		✓	BALTIMORE COUNTY MASTER PLAN 1989 – 2010
		✓	COMMUNITY OR REVITALIZATION PLAN(S)
		✓	RECREATION AND PARKS PLAN
		✓	STREETSCAPE PLAN
		✓	GREENWAYS PLAN
			OTHER______

SITE DEVELOPMENT PROPOSAL

DWELLING TYPE	PROPOSED UNITS	PARKING REQUIRED	PARKING PROPOSED	OPEN SPACE REQUIRED (ACRES)	OPEN SPACE PROPOSED (ACRES)	AVERAGE DAILY TRIPS	PHASE	DEVELOPMENT SCHEDULE
SINGLE FAMILY	30	60	60	0.69	0.00	300		2013
TOTAL	30	60	60	0.69	0.00	300		2013

OPEN SPACE PROPOSAL

OPEN SPACE TYPE	ACRES
LOCAL OPEN SPACE	WAIVER
100 YEAR FLOOD PLAIN	N/A
AMENITY AREAS	N/A
TRAILS AND CONNECTORS	N/A
OTHER	0.00
TOTAL PROVIDED	0.00

UNDEVELOPED AREAS	ACRES
STORMWATER MANAGEMENT	0.701±
HOA/COA AREAS	0.734±
OTHER	
TOTAL PROVIDED	1.435±

ADDITIONAL INFORMATION

ANTICIPATED ACTIONS:
VARIANCES NONE
WAIVERS NONE
SPECIAL EXCEPTIONS NONE
OTHER:
A SPECIAL HEARING TO CONFIRM THAT THE SUBJECT PROPERTY IS NOT LOCATED NORTH OF RIDGE ROAD AND IS THEREFORE NOT SUBJECT TO THE 75 FOOT MINIMUM LOT WIDTH REQUIRED BY SECTION 260.2.D OF THE BALTIMORE COUNTY ZONING REGULATIONS.

CONSISTENCY WITH DESIGN MANUALS YES

DEDICATION TABLE

TYPE OF CONVEYANCE	NO.	TOTAL AREA **
DRAINAGE AND UTILITY EASEMENTS	7	0.558 AC±
FOREST BUFFER EASEMENT	1	0.017 AC±
FOREST CONSERVATION EASEMENT	2	0.195 AC±
FOREST BUFFER AND FOREST CONSERVATION EASEMENTS	2	0.815 AC±
HIGHWAY WIDENINGS	1	0.671 AC±
HIGHWAY RIGHT-OF-WAYS	1	1.656 AC±
STORMWATER MANAGEMENT EASEMENTS	6	0.298 AC±
STORMWATER MANAGEMENT RESERVATIONS	1	0.701 AC±

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

ENVIRONMENTAL INFORMATION

EXISTING	NOT EXISTING	FIELD DELINEATED	FIELD VERIFIED	
✓				TOPOGRAPHY AND STREET GRADES (MIN 5 FT CONTOUR APPROPRIATELY LABELED)
✓				SLOPES GREATER THAN 25%
	✓			100 YEAR FLOODPLAIN
✓				SOILS MAPPED ACCORDING TO SOIL SURVEY, BALTIMORE COUNTY, MARYLAND
✓				STREAMS, SEEPS, PONDS OR OTHER WATER BODIES SHOWN ON SITE AND WITHIN 200 FT OF SITE BOUNDARIES
			✓	WETLANDS
✓				FOREST BUFFER LIMITS INCLUDING ADJUSTMENTS FOR STEEP SLOPES AND/OR ERODIBLE SOILS
✓				LAND COVER ON AND WITHIN 200 FT OF SITE
	✓			SIGNIFICANT REGULATED PLANT OR WILDLIFE COMMUNITIES
✓				WELLS ON SITE AND WITHIN 100 FT OF SITE
	✓			SEPTIC ON SITE AND WITHIN 100 FT OF SITE
	✓			UNDERGROUND FUEL TANKS ON SITE AND WITHIN 100 FT OF SITE
	✓			SOIL EVALUATION TESTS (PERC TESTS) PERFORMED: YES____ NO_✓_ DATE____
	✓			SITE WITHIN 500 FT OF MAJOR HIGHWAY: YES____ NO_✓_ IF YES, NOISE ASSESSMENT REQUIRED

EXISTING BUILT CONDITIONS

EXISTING	NOT EXISTING	
✓		LOCATION OF EXISTING BUILDINGS WITHIN 200 FT OF SITE BOUNDARIES
✓		LOCATION OF EXISTING ROADS WITHIN 200 FT OF SITE BOUNDARIES
	✓	DESIGNATED HISTORIC SITES
	✓	DESIGNATED ARCHEOLOGICAL SITES
	✓	SIGNIFICANT VIEWS
✓		SIGNIFICANT FEATURES (SPECIMEN TREES, BUILDINGS, STREETSCAPE, ETC.)
✓		LAND USES ON OR WITHIN 200 FT OF SITE BOUNDARIES
✓		ROAD RIGHTS OF WAY AND EASEMENTS

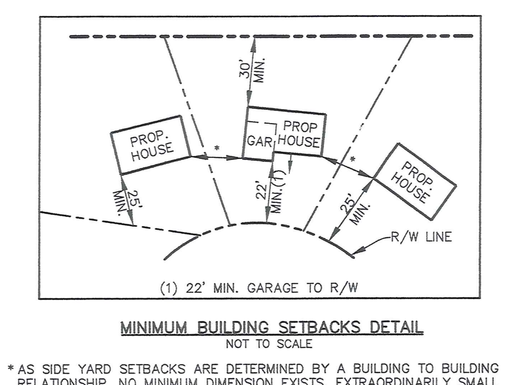
SINGLE FAMILY DETACHED, TWO-FAMILY ALTERNATIVE SITE DESIGN DWELLINGS

	D.R.1 & 2 ZONES (FEET)	D.R. 3.5, 10.5, & 16 ZONES (FEET)	ALTERNATIVE SITE DESIGN DWELLINGS: ZERO & ZIPPER LOTS ALL D.R. ZONES (FEET)	ALTERNATIVE SITE DESIGN DWELLINGS: NEO-TRADITIONAL ALL D.R. ZONES (FEET)
FROM FRONT BUILDING FACE TO: PUBLIC STREET RIGHT-OF-WAY OR PROPERTY LINE	25	25	25	15
ARTERIAL OR COLLECTOR	–	–	–	25
FROM SIDE BUILDING FACE TO: SIDE BUILDING FACE	30	16-20 HIGH 20×20 HIGH	16	16-20 HIGH 20×20 HIGH
PUBLIC STREET RIGHT-OF-WAY	25	15	15	15
PAVING OF A PRIVATE ROAD	30	25	25	25
TRACT BOUNDARY	25	15	15	15
FROM REAR BUILDING FACE TO: REAR PROPERTY LINE	30	30	20	50
PUBLIC STREET RIGHT-OF-WAY	30	30	30	50
ADDITIONAL SETBACKS: SETBACKS FOR BUILDINGS LOCATED ADJACENT TO ARTERIAL ROADWAYS SHALL BE INCREASED BY AN ADDITIONAL 20 FEET				
MAXIMUM BUILDING HEIGHT	50	50	50	50

THIS TABLE LISTS MINIMUM SETBACK REQUIREMENTS AND BUILDING HEIGHTS FOR URBAN RESIDENTIAL USE. FOR A FULLER EXPLANATION OF THESE AND OTHER REQUIREMENTS CONSULT THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP)

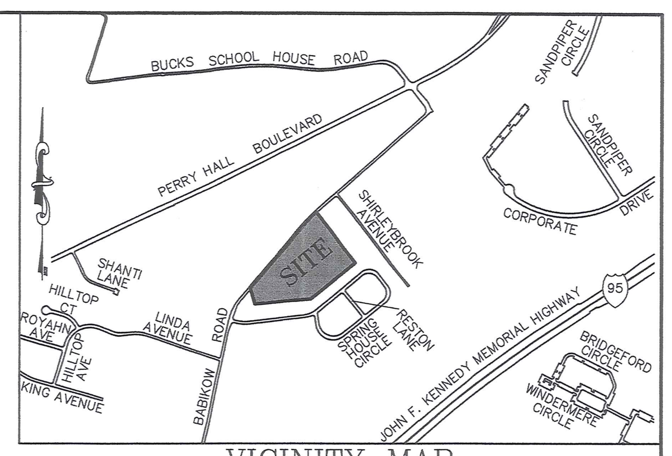
ENVELOPES OR TYPICAL DWELLINGS AS SHOWN DICTATE A SPECIFIC ORIENTATION WHICH IS INTENDED TO ALLOW COMPLIANCE WITH BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES. SHOULD THE ORIENTATION CHANGE OR CREATE CONFLICTS WITH THE REGULATIONS OR POLICIES, THE ORIENTATION MUST BE CHANGED TO ALLEVIATE THE CONFLICT.

THIS SITE IS SUBJECT TO SECTION 260, BCZR



MINIMUM BUILDING SETBACKS DETAIL
NOT TO SCALE

* 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.



VICINITY MAP
SCALE: 1"=1000'

GENERAL NOTES

1. APPLICANT:
   GEORGE J & LOUISA M MCNEAL
   7827 BABIKOW ROAD
   BALTIMORE, MD 21237
2. SITE LOCATION
   ELECTION DISTRICT: 14
   COUNCILMANIC DISTRICT: 6
   WATERSHED: WHITEMARSH RUN
   CENSUS TRACT: 440600
   REGIONAL PLANNING DISTRICT: ROSSVILLE (321)
   DEED REFERENCES: 993/320
   TAX ACCOUNT NO.: 1413014375
   TAX MAP: 82 GRID: 7 PARCEL: 433
3. OWNER/DEVELOPER:
   GEORGE J & LOUISE M MCNEAL
   7827 BABIKOW ROAD
   BALTIMORE, MD 21237
4. TOPOGRAPHY SHOWN HEREON IS BASED ON BALTIMORE COUNTY 200 SCALE GIS TILE 82A2.
5. SOIL LINES AND TYPES SHOWN ARE BASED ON THE USDA-NRCS SOILS SURVEY GEOGRAPHIC DATABASE FOR BALTIMORE COUNTY PUBLISHED 02/17/2010.
6. PROPERTY OUTLINE IS TAKEN FROM A BOUNDARY SURVEY PREPARED BY LITTLE & ASSOCIATES, INC.
7. THE GRID SYSTEM SHOWN IS BASED ON THE MARYLAND COORDINATE SYSTEM NAD 83/91.

PLANNING AND ZONING NOTES

1. EXISTING ZONING IS DR-5.5, 200 SCALE MAP 82A2.
2. THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE 1971. 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 DWELLING.
3. THIS SITE HAS NO PRIOR ZONING HISTORY.
4. AS THE PROPOSED UNITS ARE SINGLE FAMILY DWELLINGS, RTA DOES NOT APPLY.
5. EXISTING USE ON SITE: AGRICULTURAL.
6. EXISTING LAND USE WITHIN 200' OF SITE IS SINGLE FAMILY RESIDENTIAL AND AGRICULTURAL.
7. THERE ARE NO KNOWN ENDANGERED SPECIES HABITATS, ARCHEOLOGICAL OR HISTORICAL SITES, OR CONTAMINATED AREAS ON THE SUBJECT PROPERTY.
8. SITE SIGNAGE, IF ANY, WILL COMPLY WITH SECTION 450 OF THE BCZR AND ALL ZONING SIGNAGE POLICIES.
9. SCHOOL DISTRICTS:
   FULLERTON ELEMENTARY SCHOOL
   PARKVILLE MIDDLE SCHOOL
   OVERLEA HIGH SCHOOL
10. ALL LOTS ARE FOR SALE.
11. A 20 FOOT LANDSCAPE BUFFER WILL BE PROVIDED ALONG BABIKOW ROAD, AND MAY INCLUDE BERMING AND FENCING IN ACCORDANCE WITH CMDP AND BALTIMORE COUNTY LANDSCAPE MANUAL REQUIREMENTS.
12. LOTS 7, 8, 23, 24, 28 & 30 ARE CORNER LOTS THAT HAVE A SIDE ELEVATION THAT FACES A PUBLIC RIGHT-OF-WAY AND ARE THEREFORE REQUIRED TO HAVE ARCHITECTURAL FEATURES AND TREATMENTS THAT ARE SIMILAR TO THOSE FOUND ON THE FRONT FACADE.
13. THE OFFICE OF PLANNING HAS SUBMITTED WRITTEN FINDINGS TO ENSURE COMPLIANCE WITH THE PERFORMANCE STANDARDS LISTED IN SECTION 260 OF THE BZCR (PER COUNTY COUNCIL BILLS 34-2001 AND 58-2001). THIS DEVELOPMENT AND ALL PROPOSED DWELLINGS WILL COMPLY WITH SAID OFFICE OF PLANNING WRITTEN FINDINGS AND THE PERFORMANCE STANDARDS AS SHOWN ON THIS PLAN. IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER, DEVELOPER, DEVELOPER'S ENGINEER, CONTRACT PURCHASER OR BUILDING PERMIT APPLICANT TO OBTAIN COMPLIANCE CERTIFICATION FROM THE OFFICE OF PLANNING PRIOR TO BUILDING PERMIT APPLICATION AND TO PRESENT THIS CERTIFICATION ON ANY BUILDING PERMIT SITE PLANS / PLOT PLANS.

PERMITS, APPROVALS & INSPECTIONS AND PUBLIC WORKS NOTES

1. TOTAL AVERAGE DAILY TRIPS (A.D.T.'S) FOR THIS SITE IS 300.
2. AREAS BETWEEN THE SIGHT LINE AND THE CURB LINE MUST BE CLEARED, GRADED, AND KEPT FREE OF ANY OBSTRUCTIONS.
3. THIS SITE IS NOT LOCATED WITHIN ANY DEFICIENT AREAS BASED ON THE 2010 BASIC SERVICES MAPS, PURSUANT TO SECTION 4A02, BCZR.
4. A LANDSCAPE PLAN IS REQUIRED AND WILL BE APPROVED PRIOR TO BUILDING PERMITS.
5. THE LOCATION OF DESIGN DETAILS SUCH AS FIRE HYDRANTS, STREET LIGHTS, WATER METERS, SEWER HOUSE CONNECTIONS, DRIVEWAYS, INLETS, ETC. ARE SHOWN; HOWEVER, THEIR SPECIFIC LOCATION(S) MAY CHANGE DURING FINAL DESIGN.
6. LANDSCAPE SCREENING WILL BE PROVIDED ALONG THE REAR OF LOTS ABUTTING EXISTING HOMES.

ENVIRONMENTAL IMPACT REVIEW NOTES

1. FOREST CONSERVATION REQUIREMENT WILL BE MET BY A COMBINATION OF ON-SITE PLANTING AND OFF-SITE PLANTING.
2. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION EASEMENT AND/OR FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY.
3. ANY FOREST CONSERVATION EASEMENT AND/OR FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY, AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
4. THIS SITE IS NOT LOCATED WITHIN A 100 YEAR FLOOD PLAIN.
5. THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
6. ACCESS TO THE FOREST BUFFER AND/OR FOREST CONSERVATION EASEMENTS WILL BE VIA SPRINGHOUSE CIRCLE AND BABIKOW ROAD RESPECTIVELY.
7. A SETBACK OF 35' MUST BE APPLIED FROM THE FOREST BUFFER AND/OR FOREST CONSERVATION EASEMENT AREAS.
8. A VARIANCE WAS GRANTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY FROM THE LAW FOR THE PROTECTION OF WATER QUALITY, STREAMS, WETLANDS, AND FLOODPLAINS ON JANUARY 17, 2012. (TRACKING # 06-11-1425). THIS VARIANCE APPROVED THE REDUCTION OF THE FOREST BUFFER FROM AN AVERAGE OF 165 FEET TO LESS THAN 100 FEED FROM THE WETLAND. CONDITIONS WERE PLACED ON THE APPROVAL TO REDUCE WATER QUALITY IMPACTS INCLUDING ESTABLISHMENT OF GOOD VEGETATIVE COVER WITHIN THE FOREST BUFFER AND INSTALLATION OF PERMANENT PROTECTIVE SIGNAGE AND MONUMENTS ALONG THE FOREST BUFFER EASEMENT. ANY CHANGE IN LAND USE SHALL NULLIFY THIS VARIANCE.

GROUNDWATER MANAGEMENT NOTES

1. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS ON-SITE.
2. BOTH OF THE EXISTING WELLS MUST BE PROPERLY ABANDONED AND BACKFILLED BY A LICENSED WELL DRILLER PRIOR TO APPROVAL OF A RECORD PLAT, WITH WRITTEN DOCUMENTATION SUBMITTED TO DEPS.

LOCAL OPEN SPACE NOTES

1. OPEN SPACE REQUIRED–19,500 SF ACTIVE AND 10,500 SF PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION III.D.3; OPEN SPACE PROVIDED–0 SF ACTIVE AND 0 SF PASSIVE.
2. A WAIVER HAS BEEN REQUESTED AND A FEE IN LIEU IS TO BE PAID.

STORMWATER MANAGEMENT NOTES

1. STORMWATER MANAGEMENT FOR THIS PROJECT WILL BE MET ON-SITE.
2. ACCESS TO THE STORMWATER MANAGEMENT RESERVATION WILL BE VIA BABIKOW ROAD.

LOT AREA TABLE

LOT NO.	AREA (AC)	LOT NO.	AREA (AC)
1	0.178	16	0.237
2	0.178	17	0.166
3	0.178	18	0.157
4	0.178	19	0.157
5	0.178	20	0.157
6	0.178	21	0.383
7	0.190	22	0.429
8	0.206	23	0.405
9	0.296	24	0.158
10	0.326	25	0.149
11	0.186	26	0.149
12	0.149	27	0.153
13	0.149	28	0.167
14	0.169	29	0.152
15	0.237	30	0.162

LEGEND

69.5	EX. SPOT ELEVATION
69x5	PROP SPOT ELEVATION
Ⓢ	SANITARY MANHOLE
Ⓓ	STORM DRAIN MANHOLE
Ⓜ	WATER METER
	FIRE HYDRANT
	WATER VALVE
co	CLEANOUT
▲	PROPOSED STREETLIGHT
	UTILITY POLE
	ELECTRIC TRANSFORMER
MB	MAILBOX
(TBR)	TO BE REMOVED
	EXISTING TREE
	SLOPES > 25%
	AFFORESTATION AREA
	OFFSITE PLANTING AREA
	LANDSCAPE BUFFER
–541–	EXISTING CONTOUR
–406–	PROPOSED CONTOUR
	TRACT BOUNDARY
–OW–	OVERHEAD WIRE
–UGE–	UNDERGROUND ELECTRIC LINE
DR 5.5	ZONING
SaD	SOILS
	EX. WOODS
–W–	WETLANDS
–FB–	FOREST BUFFER EASEMENT
–FC–	FOREST CONSERVATION EASEMENT
–FB/FC–	FOREST BUFFER AND FOREST CONSERVATION EASEMENT
WHC SHC	HOUSE CONNECTIONS

STATE OF MARYLAND G. DWIGHT LITTLE, JR. 10019 REGISTERED PROFESSIONAL ENGINEER

LITTLE & ASSOCIATES, INC.
ENGINEERS~~LAND PLANNERS~~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE HEARING OFFICER'S ORDER DATED , AND HAVE PREPARED WITH DUE DILIGENCE THIS DEVELOPMENT PLAN, PURSUANT TO THAT ORDER.

NOTE:
I, G. DWIGHT LITTLE, JR. CERTIFY UNDER OATH THAT TO THE BEST OF MY KNOWLEDGE, 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.

#2012-0329-SPH

DEVELOPMENT PLAN AND
PLAN TO ACCOMPANY
SPECIAL HEARING APPLICATION
McNEAL FARM

DISTRICT 14c6
SCALE: 1"=40'
PAI FILE # 14-487

BALTIMORE COUNTY, MD
JUNE 25, 2012