IN RE: DEVELOPMENT PLAN HEARING & PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE	*	BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
1st Election District 1st Councilmanic District (631 Winners Circle)	*	FOR
(MORSBERGER PROPERTY - 1st Material Amendment to the 2nd Refined Development Plan)	*	BALTIMORE COUNTY
Louis J. Morsberger and Louann M. Tracy, *Legal Owners* Morsberger Development, LLC, c/o Whalen Properties *Developer*	*	**HOH Case No. 01-0528 and Zoning Case 2014-0234-SPHXA**

* * * * * * *

ORDER OF DISMISSAL

WHEREAS, this matter was scheduled for a public hearing on August 22, 2014, to consider a development proposal known as "Morsberger Properties, 1st Material Amendment to the 2nd Refined Development Plan" as well as Petitions for Special Hearing, Special Exception, and Variance relief filed by Louis J. Morsberger and Louann M. Tracy, *legal owners*, and Morsberger Development, LLC, c/o Whalen Properties, *developer*, by and through their attorney, G. Scott Barhight, Esquire, with Whiteford, Taylor & Preston, LLP.

The Petition for Special Hearing sought relief pursuant to § 500.7 of the B.C.Z.R., to permit a material amendment to an approved Development Plan. The Petition for Special Exemption sought relief pursuant to § 1B01.3.A.7 of the B.C.Z.R., to permit an amendment to a Final Development Plan (FDP). The Petition for Variance sought relief pursuant to § 1B01.2.C.1.b as follows: (1) To permit a side building face/side building face setbacks of 20′ in lieu of required 30′ on Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 22, 23, 25, 26, 27, 28, 29, 33, 35, 36, and 43, (2) Side building face to public right-of-way setback of 20′ in

lieu of the required 25′ on Lots 12, 17, 33, 35, and 43, (3) Side building face to tract boundary setback of 15′ in lieu of the required 25′ on Lot 24, (4) Front building face to public right-of-way of 20′ in lieu of required 25′ on Lots 33 and 43, (5) Rear building face to rear property line of 22′ in lieu of required 30′ on Lot 20 and 29′ in lieu of required 30′ on Lot 29.

Pursuant to the written request for withdrawal dated August 29, 2014 and follow-up letter dated September 2, 2014 from G. Scott Barhight, Esquire, with Whiteford, Taylor & Preston, L.L.P.:

IT IS ORDERED by this Administrative Law Judge/Hearing Officer for Baltimore County, this 4th day of September, 2014 that the development proposal known as "Morsberger Properties, 1st Material Amendment to the 2nd Refined Development Plan", be and is hereby DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that the Petitions for Special Hearing, Special Exception and Variance seeking relief as set forth above, be and the same are hereby DISMISSED WITHOUT PREJUDICE.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/dlw

ORDER RECEIVED FOR FILING
Date 9-4-14
By DW

KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

September 4, 2014

G. Scott Barhight, Esquire
Whiteford, Taylor & Preston, L.L.P.
Towson Commons, Suite 300
One West Pennsylvania Avenue
Towson, Maryland 21204-5025

RE: Hearing Officer's Hearing (HOH) Case No. 01-0528 (Morsberger Prop.)
AND Zoning Case No. 2014-0234-SPHXA
(631 Winners Circle)

Dear Mr. Barhight:

Enclosed please find a copy of the Order of Dismissal rendered in the above-captioned matter.

Sincerely,

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Francis X. Borgerding, Jr., Esq., 409 Washington Avenue, Towson, MD 21204
Peter Max Zimmerman, Esq., People's Counsel for Baltimore County
Darryl Putty, Project Manager, Division of Development Processing, PAI

PETITION FOR ZONING HEARING(S)

FLOOD

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 See attached which is presently zoned DR 2

Deed References: Liber 26685, Folio 292 10 Digit Tax Account # See Attached

Property Owner(s) Printed Name(s) Morsberger Properties, LLC

(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

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

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

(PLEASE SEE ATTACHED)

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)**

(TO BE PRESENTED AT HEARING)

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:

Name – Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
Date 9-2-14
By pws

Attorney for Petitioner:

G. Scott Barhight, Esquire

Name- Type or Print

G Scott Barhight /ADB

Signature Whiteford, Taylor & Preston

1 W. Pennsylvania Ave., Ste. 300, Towson MD

Mailing Address City State

21204 / 410-832-2000 / gbarhight@wtplaw.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners): Morsberger Properties, LLC

LOUIS J. MORSBERGER / LOUANN M. Tra

Name #1 – Type or Print Name #2 – Type or Print

Signature #1 Signature # 2

604 Hilton Avenue Baltimore MD

Mailing Address City State

21228 / 240-462-5600 / lou@ljmorsberge

Zip Code Telephone # Email Address

Representative to be contacted:

G. Scott Barhight, Esquire

Name – Type or Print

Signature Whiteford, Taylor & Preston

1 W. Pennsylvania Ave., Ste. 300, Towson MD

Mailing Address City State

21204 / 410-832-2000 / gbarhight@wtplaw.com

Zip Code Telephone # Email Address

CASE NUMBER 2014-0234-SPHXA **Filing Date** 5/8/14 **Do Not Schedule Dates:** FRIDAYS **Reviewer** JS

REV. 10/4/11

PETITION FOR ZONING HEARING
MORSBERGER PROPERTIES, LLC – HILTON AVENUE

Addresses/10 Digit Tax Account #:
631 Winners Circle/2500009096
630 Winners Circle/2500009068
629 Winners Circle/2500009095
628 Winners Circle/2500009069
627 Winners Circle/2500009094
626 Winners Circle/2500009070
625 Winners Circle/2500009097
624 Winners Circle/2500009071
622 Winners Circle/2500009072
617 Winners Circle/2500009111
615 Winners Circle/2500009110
613 Winners Circle/2500009109
612 Winners Circle/2500009080
611 Winners Circle/2500009108
610 Winners Circle/2500009081
609 Winners Circle/2500009107
608 Winners Circle/2500009082
607 Winners Circle/2500009087
606 Winners Circle/2500009083
605 Winners Circle/2500009093
604 Winners Circle/2500009084
603 Winners Circle/2500009092
601 Winners Circle/2500009091
600 Winners Circle/2500009090

3 Trotters Court/2500009073
5 Trotters Court/2500009074
7 Trotters Court/2500009075
8 Trotters Court/2500009076
6 Trotters Court/2500009077
4 Trotters Court/2500009078
2 Trotters Court/2500009079

643 Bridle Creek Court/2500009089
642 Bridle Creek Court/2500009085
641 Bridle Creek Court/2500009088
640 Bridle Creek Court/2500009086
631 Bridle Creek Court/2500009114
625 Bridle Creek Court/2500009113
623 Bridle Creek Court/2500009112

618 Seminole Ave/2500009102

616 Seminole Ave/2500009103
614 Seminole Ave/2500009104
612 Seminole Ave/2500009105
610 Seminole Ave/2500009106

Special Hearing Relief Requested:

1. Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations to permit a material amendment to an approved Development Plan.

Special Exception Relief Requested:

1. Special Exception to permit an amendment to a Final Development Plan pursuant to Section 1B01.3.A.7 of the Baltimore County Zoning Regulations.

Variance Relief Requested:

1. Variance from Section 1B01.2C.1.b of the Baltimore County Zoning Regulations to permit:
    a. Side Building Face/Side Building Face setbacks of 20' in lieu of required 30' on Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 22, 23, 25, 26, 27, 28, 29, 33, 35, 36, 43.
    b. Side Building Face to Public Right-of-Way setback of 20' in lieu of required 25' on Lots 12, 17, 33, 35, 43.
    c. Side Building Face to Tract Boundary setback of 15' in lieu of required 25' on Lot 24.
    d. Front Building Face to Public Right-of-Way of 20' in lieu of required 25' on Lots 33, 43.
    e. Rear Building Face to Rear Property Line of 22' in lieu of required 30' on Lot 20 and 29' in lieu of required 30' on Lot 29.

FROM THE OFFICE OF

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS
4692 Millennium Drive, Suite 100, Belcamp, Maryland 21017

May 5, 2014

ZONING DESCRIPTION

Morsberger Properties

Beginning at a point near the center of Hilton Avenue right-of-way, which is 70 feet in ultimate width, said point being North 9 degrees 8 minutes 7 seconds West 95.65 feet more or less, from a point formed by the intersection of the centerlines of Hilton Avenue and English Elm Court, thence leaving said point of beginning, along the following 15 courses:

1. Running thence and leaving said point near the center of Hilton Avenue, which has an ultimate right-of-way width of 70 feet, South 89 degrees 37 minutes 22 seconds West 727.82 feet, along the centerline of Forest Road which has an ultimate right-of-way width of 40 feet, thence leaving said roadway

2. North 8 degrees 7 minutes 0 seconds West 1,485.39 feet, running thence

3. South 84 degrees 10 minutes 28 seconds East 24.37 feet to a point near the centerline of Seminole Avenue which has a 50 foot wide right-of-way, running thence leaving said roadway

4. North 43 degrees 10 minutes 5 seconds East 656.22 feet, thence

5. South 69 degrees 53 minutes 5 seconds East 295.25 feet, to a point on the centerline of Oakhill Road which has a 40 foot wide fight-of-way, running thence and binding on said centerline South 20 degrees 6 minutes 55 seconds West 220 feet, thence leaving said roadway

6. South 69 degrees 53 minutes 5 seconds East 240.00 feet, thence

7. South 20 degrees 6 minutes 55 seconds West 200.00 feet, thence

8. North 69 degrees 53 minutes 5 seconds West 79.97 feet, thence

9. South 20 degrees 5 minutes 45 seconds West 199.97 feet to a point on the centerline of the Oakhill Road right-of-way, thence binding on said centerline

10. South 69 degrees 53 minutes 5 seconds East 121.28 feet, thence leaving said roadway

11. South 21 degrees 14 minutes 55 seconds West 40.83 feet, thence n 67 degrees 42 minutes 21 seconds West, thence

12. South 67 degrees 42 minutes 21 seconds East 225.00 feet to a point on the existing westerly right-of way of Hilton Avenue, thence binding on said right-of-way

2014-0234-SPHXA

13. South 22 degrees 19 minutes 35 seconds West 81 feet, thence

14. South 10 degrees 59 minutes 43 seconds East 345.49 feet, thence

15. South 9 degrees 53 minutes 38 seconds East 350.00 feet to the point of beginning.

Being those parcel of land recorded in Deeds 21008/509, 6134/594, 12784/222, 6134/600, 2903/56, 6134/604, 10606/111, 6134/606, 6134/602 and 21008/509 as recorded in the Baltimore County Land Records, containing 29.1436 Acres of land more or less. Also known as parcels 455 and 646 of Baltimore County tax map 100, and located within Election District #1 and Councilmanic District #1.

Note: The above description is for zoning purposes only and is not to be used for contracts, conveyances or agreements.

410-297-2340 • FAX 410-297-2345
www.gwstephens.com

2014-0234-SPHXA

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: 2014-0234-SPHXA

Petitioner: MORSBERGER PROPERTIES, LLC

Address or Location: WEST SIDE OF HILTON AVE, NORTH OF ENGLISH ELM CT.

PLEASE FORWARD ADVERTISING BILL TO:

Name: WHITEFORD, TAYLOR + PRESTON

Address: 1 W. PENNSYLVANIA AVE.
SUITE 300
TOWSON, MD 21204

Telephone Number: 410-832-2000

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

No. 109897

Date: 5/8/14

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	506	0000		6150				$1200.00
						Total:		$1200.00

Rec From: MURSBERGER PROPERTIES

For: 2014-0234-SPHXA

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

PAID RECEIPT
BUSINESS ACTUAL TIME
5/07/2014 5/08/2014 10:09:41
REG WS05 WALKIN RBOS LEB
RECEIPT # 736375 5/08/2014
Dept 5 528 ZONING VERIFICATION
CASH NO. 109897
Recpt Tot $1,200.00
$1,200.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS
DATE: 7/28/2014/
Case Number: 2014-0234-SPHXA
Petitioner / Developer: G. SCOTT BARHIGHT of WHITEFORD, TAYLOR & PRESTON L.L.P.~MR. MORSBERGER~Ms. TRACY
Date of Hearing (Closing): AUGUST 22, 2014

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:
631 WINNERS CIRCLE (1 SET OF SIGNS) POSTED @ W/s HILTON AVE. OPPOSITE WHITE OAK AVENUE & (1SET OF SIGNS) POSTED @ S/s PARK GROVE AVENUE OPPOSITE SEMINOLE AVE. (ON-SITE)

The sign(s) were posted on: JULY 25, 2014

W/s Hilton Ave. opposite White Oak Ave.

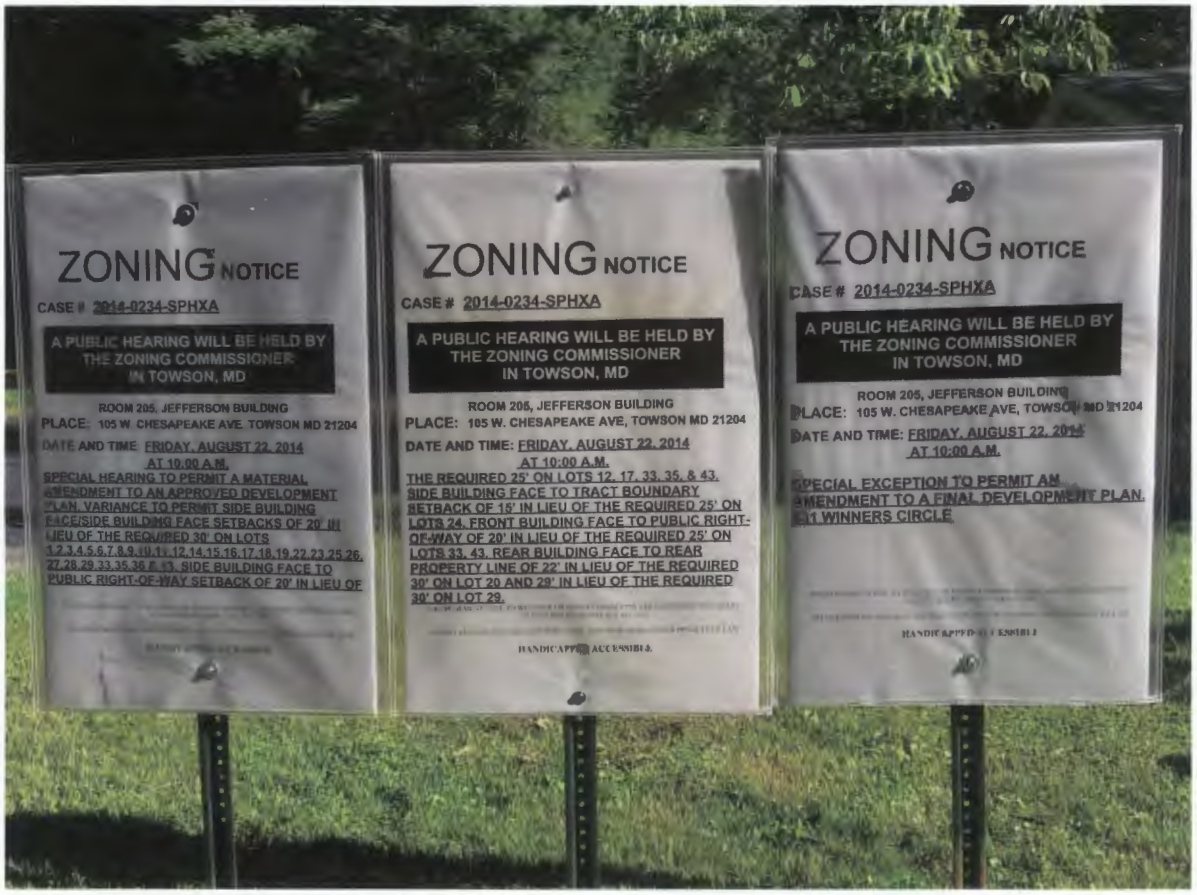
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 – 666 – 5366
(Telephone Number of Sign Poster)



S/s Park Grove Avenue opposite Seminole Ave.

THE BALTIMORE SUN
MEDIA GROUP

Baltimore, Maryland 21278-0001

July 31, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on July 31, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: #2014-0234-SPHXA
631 Winners Circle
W/s Hilton Avenue opposite White Oak Avenue and S/s Park Grove Avenue opp Seminole Ave
1st Election District - 1st Councilmanic District
Legal Owner(s): Louis Morseberger & Louann Tracy

Special Hearing to permit a material amendment to an approved Development Plan. **Variance** to permit side building face/side building face setbacks of 20' in lieu of the required 30' on Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 22, 23, 25, 26, 27, 28, 29, 33, 35, 36 & 43. Side Building Face to public right-of-way setback of 20' in lieu of the required 25' on Lots 12, 17, 33, 35 & 43. Side Building Face to tract boundary setback of 15' in lieu of the required 25' on Lot 24. Front Building Face to public right-of-way of 20' in lieu of the required 25' on Lots 33, 43. Rear Building face to rear property line of 22' in lieu of the require 30' on Lot 20 and 29' in lieu of the required 30' on Lot 29. **Special Exception** to permit amendment to a Final Development Plan.

Hearing: Friday, August 22, 2014 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.

7/1127 July 31 989128

KEVIN KAMENETZ
County Executive

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

July 23, 2014

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: 2014-0234-SPHXA
631 Winners Circle
W/s Hilton Avenue opposite White Oak Avenue and S/s Park Grove Avenue opp Seminole Ave
1st Election District – 1st Councilmanic District
Legal Owners: Louis Morseberger & Louann Tracy

Special Hearing to permit a material amendment to an approved Development Plan. **Variance** to permit side building face/side building face setbacks of 20' in lieu of the required 30' on Lots 1,2,3,45,6,7,8,9,10,11,12,14,15,16,17,18,19,22,23,25,26,27,28,29,33,35,36 & 43. Side Building Face to public right-of-way setback of 20' in lieu of the required 25' on Lots 12,17,33,35,& 43. Side Building Face to tract boundary setback of 15' in lieu of the required 25' on Lots 24. Front Building Face to public right-of-way of 20' in lieu of the required 25' on Lots 33,43. Rear Building face to rear property line of 22' in lieu of the required 30' on Lot 20 and 29' in lieu of the required 30' on Lot 29. **Special Exception** to permit an amendment to a Final Development Plan.

Hearing: Friday, August 22, 2014 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: G. Scott Barhight, 1 W. Pennsylvania Avenue, Ste. 300, Towson 21204
Mr. Morseberger, Ms. Tracy, 604 Hilton Avenue, Baltimore 21228

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, AUGUST 1, 2014.**
(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, July 31, 2014 Issue - Jeffersonian

Please forward billing to:
Whiteford, Taylor & Preston 410-832-2000
1 W. Pennsylvania Avenue, Ste. 300
Towson, MD 21204

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: 2014-0234-SPHXA
631 Winners Circle
W/s Hilton Avenue opposite White Oak Avenue and S/s Park Grove Avenue opp Seminole Ave
1st Election District – 1st Councilmanic District
Legal Owners: Louis Morseberger & Louann Tracy

Special Hearing to permit a material amendment to an approved Development Plan. **Variance** to permit side building face/side building face setbacks of 20' in lieu of the required 30' on Lots 1,2,3,45,6,7,8,9,10,11,12,14,15,16,17,18,19,22,23,25,26,27,28,29,33,35,36 & 43. Side Building Face to public right-of-way setback of 20' in lieu of the required 25' on Lots 12,17,33,35,& 43. Side Building Face to tract boundary setback of 15' in lieu of the required 25' on Lots 24. Front Building Face to public right-of-way of 20' in lieu of the required 25' on Lots 33,43. Rear Building face to rear property line of 22' in lieu of the required 30' on Lot 20 and 29' in lieu of the required 30' on Lot 29. **Special Exception** to permit an amendment to a Final Development Plan.

Hearing: Friday, August 22, 2014 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.

RE: PETITION FOR SPECIAL HEARING SPECIAL EXCEPTION AND VARIANCE Multiple properties on Winners Circle, Trotters Court, Bridle Creek Court, Seminole Avenue; W/S Hilton Avenue opposite White Oak Ave & S/S Park Grove Ave opposite Seminole Ave 1st Election & 1st Councilmanic Districts Legal Owners: Louis Morseberger & Louann Tracy Petitioner(s)	*	BEFORE THE OFFICE OF ADMINSTRATIVE HEARINGS FOR BALTIMORE COUNTY 2014-234-SPHXA

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

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.

RECEIVED
MAY 13 2014

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

Carole S Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of May, 2013, a copy of the foregoing Entry of Appearance was mailed to G Scott Barhight, Esquire, One West Pennsylvania Avenue, Suite 300, Towson, Maryland 21204, Attorney for Petitioner(s).

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

CASE NO. 2015-4 0234 – SPHxA

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
5-14	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	C
6-20	DEPS (if not received, date e-mail sent _____)	C
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
5-12	STATE HIGHWAY ADMINISTRATION	No objection
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 7-31-14

SIGN POSTING Date: _____ by _____

PEOPLE'S COUNSEL APPEARANCE Yes ☑ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

BALTIMORE COUNTY

DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS

DEVELOPMENT PLAN HEARING SCHEDULE

PROJECT: MORSBERGER PROPERTY 1ST MATERIAL AMENDMENT TO 2ND REFINED PLAN AT

DATE: 08/22/14

PROJECT LOCATION: 631 WINNERS CIR

TIME : 10:00AM

PROPOSAL: The reason for a material amendment is to provide larger single family home building footprints up to 3,025 square feet.

PAI NUMBER: 01-0528

MEETING LOCATION : JEFFERSON BUILDING - ROOM 205
105 W CHESAPEAKE AVE TOWSON, MD 21204

COUNCIL DISTRICT: 1

DEVELOPER : MORSBERGER DEVELOPMENT LLC

ENGINEER : G. W. STEPHENS, JR. AND ASSOCIATES, INC

ENGINEER'S PHONE NUMBER : 410-297-2340

MANAGER : Darryl D. Putty

TRACKING NO.: MAJ-2014-00004-A

PHONE NUMBER: 410-887-3321

KEVIN KAMENETZ
County Executive

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

August 14, 2014

Louis J. Morsberger
Louann M. Tracy
604 Hilton Avenue
Baltimore MD 21228

RE: Case Number: 2014-0234 SPHXA, Address: 631 Winners Circle

Dear Mr. Morsberger & Ms. Tracy:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 8, 2014. This letter is not an approval, but only a **NOTIFICATION.**

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
G. Scott Barhight, Esquire, 1 W. Pennsylvania Avenue, Suite 300, Towson MD 21204

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

SHA
State Highway Administration
Maryland Department of Transportation

James T. Smith, Jr., *Secretary*
Melinda B. Peters, *Administrator*

Date: 5/12/14

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

RE: Baltimore County
Item No 2014-0234-SPHXA
Special Hearing
Special Exception Variance
Louis F. Morseberger &
Louann M. Tracy -
631 Winners Circle

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. 2014-0234-SPHXA

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,

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

From: PAI Zoning
To: LennonK@pbworld.com; cengers@baltimorecountymd.gov; council1@baltimore...
Date: 8/6/2014 2:43 PM
Subject: Fwd: E-mail Baltimore County Council District 1.
CC: Tsui, Aaron; ajablon@baltimorecountymd.gov

Dear Kelly and Catherine,
Please double click on the attached PDF file for the copies of the zoning hearing site plan 2014-0234-SPHXA for the Morsburger property as well as the date for the upcoming combined development/zoning hearing. The property has been advertised and posted accordingly. Please notice the Forest Conservation and Forest Buffer areas on the plan. For additional information, please contact the attorney for the developer, G. Scott Barhight, at 410-832-2000 or Aaron Tsui, the Zoning Planner at 410-887-3391.
Carl Richards, Zoning Review

From: "County Council District 1" <council1@baltimorecountymd.gov>
Date: August 6, 2014 at 9:38:38 AM EDT
To: "Kelly Lennon" <LennonK@pbworld.com>
Cc: "Arnold Jablon" <ajablon@baltimorecountymd.gov>, "Catherine Engers" <cengers@baltimorecountymd.gov>
Subject: Re: E-mail Baltimore County Council District 1.

Kelly,

Thanks for your email. I'm copying both Cathy Engers in my office and Arnold Jablon, who is Director of Permits, Approvals and Inspections, for their review.

Cathy - please get Kelly the information requested and copy me.

Sincerely,
Tom Quirk

Councilman 1st District
Baltimore County Council
754 Frederick Road
Catonsville, Maryland 21228
District Office Phone: 410-887-0896
Towson Office Phone: 410-887-3386

>>> "Lennon, Kelly" <LennonK@pbworld.com> 08/01/14 9:56 AM >>>
Dear Mr. Quirk,
I am a Catonsville resident in the Patapsco Woods community (747 White Oaks Ave). I saw the recent zoning notice signs posted for the Morsberger Property (Will be Winners Circle, Trotters Ct and Bridlecreek Ct). From what I can tell from My Neighborhood, its currently zoned as DR 2 (2 units per acre) but the signs noted several requests for variances for setbacks, lot size, etc. I realize areas need new developments to remain healthy and diverse, but I do not believe we should be granting variances for developers to urbanize areas more than they are already zoned for. The sign said there is a hearing scheduled for August 22nd but on your community update it looked like there was a development plan review for the site next week. I didn?t see the zoning hearing listed in the update. I am a water resource engineer and work with many of the municipalities to treat urban runoff and I am opposed to allowing developers ways around the current regulations. Are we able to view the actual development plans? I would be ok with the smaller lot sizes if it meant greater open space/forest preservation but I was having trouble finding that information on line. Any help you could provide or any information on this development would be greatly appreciated.
Thank you for your time,
Kelly E. Lennon, P.E.
Assistant Vice President

Baltimore Water Area Manager
Parsons Brinckerhoff
100 S. Charles St.
Tower 1, 10th Floor
Baltimore, MD 21201
410-385-4162 (office)
410-727-4608 (fax)
lennonk@pbworld.com
www.pbworld.com

AT

From: Arnold Jablon <ajablon@baltimorecountymd.gov>
To: CKelly@baltimorecountymd.gov, CRichards@baltimorecountymd.gov
Date: 8/6/2014 10:02 AM
Subject: Fwd: E-mail Baltimore County Council District 1.

please respond, w/copies to Q;s office, as to the zoning question and development review question.
thanks

Dates — plan + explain

Sent from my iPad

Begin forwarded message:

> From: "County Council District 1" <council1@baltimorecountymd.gov>
> Date: August 6, 2014 at 9:38:38 AM EDT
> To: "Kelly Lennon" <LennonK@pbworld.com>
> Cc: "Arnold Jablon" <ajablon@baltimorecountymd.gov>, "Catherine Engers" <cengers@baltimorecountymd.gov>
> Subject: Re: E-mail Baltimore County Council District 1.
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> Sincerely,
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> Councilman 1st District
> Baltimore County Council
> 754 Frederick Road
> Catonsville, Maryland 21228
> District Office Phone: 410-887-0896
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> Assistant Vice President
> Baltimore Water Area Manager
> Parsons Brinckerhoff
> 100 S. Charles St.
> Tower 1, 10th Floor
> Baltimore, MD 21201
> 410-385-4162 (office)
> 410-727-4608 (fax)
>
> lennonk@pbworld.com
> www.pbworld.com
>
>
> _____
> NOTICE: This communication and any attachments ("this message") may contain confidential information for the sole use of the intended recipient(s). Any unauthorized use, disclosure, viewing, copying, alteration, dissemination or distribution of, or reliance on this message is strictly prohibited. If you have received this message in error, or you are not an authorized recipient, please notify the sender immediately by replying to this message, delete this message and all copies from your e-mail system and destroy any printed copies.

Debra Wiley - Morsberger property

From: John Beverungen
To: G. Scott Barhight; Peter Zimmerman
Date: 8/20/2014 2:52 PM
Subject: Morsberger property
CC: Debra Wiley; Sherry Nuffer

Gentlemen,

I was just handed a copy of Mr. Barhight's request for postponement in the above matter. I of course do not know Mr. Zimmerman's position on the request.

While I am generally inclined to grant such requests, I do not want to do so if it would inconvenience anyone who was planning to attend the hearing. I have not had the opportunity to review the file in detail, but I did see at least 2 emails (which may have been forwarded to this Office from Councilman Quirk's office) from area residents expressing concern about the case. Perhaps Mr. Zimmerman has been in contact with other community members who are interested in the case?

As such, if the request is granted I would want to be sure that all interested parties are notified, and perhaps the zoning sign should also be marked in a conspicuous fashion to show that the case was postponed. Finally, perhaps it would be better to convene the hearing as scheduled, and then entertain the motion at that time, which would also allow for any community members to voice their concerns without having to drive to Towson on a second occasion.

I welcome your input.

John Beverungen
ALJ

Debra Wiley - RE: Morsberger property

From: "Barhight, G. Scott" <GSBarhight@wtplaw.com>
To: 'John Beverungen' <jbeverungen@baltimorecountymd.gov>, Peter Zimmerman <...
Date: 8/20/2014 3:10 PM
Subject: RE: Morsberger property
CC: Debra Wiley <dwiley@baltimorecountymd.gov>, Sherry Nuffer <snuffer@balti...

Judge Beverungen, thank you for your very prompt response. I too am concerned about the notice issue. The only reason that the postponement request came to you so late was because I just received Mr. Zimmerman's letter today. Therefore, I agree with your suggestion that we wait until the hearing on Friday to entertain the request for postponement. Then, after hearing from all the parties, you can rule on the motion as you deem appropriate. Thank you.

Respectfully,

G. Scott Barhight

From: John Beverungen [jbeverungen@baltimorecountymd.gov]
Sent: Wednesday, August 20, 2014 2:52 PM
To: Peter Zimmerman; Barhight, G. Scott
Cc: Debra Wiley; Sherry Nuffer
Subject: Morsberger property

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I welcome your input.

John Beverungen
ALJ

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Debra Wiley - Re: Morsberger property, Case I-528, 2014-234-SPHXA

From: Peter Zimmerman
To: Barhight, G. Scott; Beverungen, John
Date: 8/20/2014 3:21 PM
Subject: Re: Morsberger property, Case I-528, 2014-234-SPHXA
CC: Lennonk@pbworld.com; Nuffer, Sherry; Wiley, Debra; gbean@cybergroup.com

Dear Judge Beverungen,

Thank you for your note.

Our office has no objection to a continuance, with scheduling to be done cooperatively. To be fair, in light of the apparent issues, we plan to attend and participate at the hearing.

We do not know which area residents may attend the August 22 hearing, or their positions. Kelly Lennon initially contacted our office, and Gregory Bean has submitted an e-mail. There may be other interested parties, as there were many who attended the original hearing in 2007.

Accordingly, we believe the hearing should be opened on the record as posted and scheduled, and additional interested parties recognized. At that point, this office will have no objection to a continuance.

We are copying Kelly Lennon and Gregory Bean on this e-mail. If there is a consensus that the case will be continued, they may decide it unnecessary to attend Friday, reserving their attendance for the future date. Perhaps they will respond by e-mail as well on the scheduling.

Just as I was completing this e-mail, I received Mr. Scott Barhight's e-mail of this afternoon. I believe we are both in agreement that the hearing should be opened on Friday morning. I repeat that I will have no objection to a continuance and a workable rescheduling situation.

Sincerely, Peter Max Zimmerman, People's Counsel

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I welcome your input.

John Beverungen
ALJ

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I welcome your input.

John Beverungen
ALJ

Debra Wiley - RE: Morsberger property, Case I-528, 2014-234-SPHXA

From: Greg Bean <gbean@cybergroup.com>
To: 'Peter Zimmerman' <pzimmerman@baltimorecountymd.gov>, 'John Beverungen' ...
Date: 8/20/2014 4:17 PM
Subject: RE: Morsberger property, Case I-528, 2014-234-SPHXA
CC: 'Debra Wiley' <dwiley@baltimorecountymd.gov>, 'Sherry Nuffer' <snuffer@b...
Attachments: ~WRD000.jpg; image001.jpg

Dear Judge Beverungen et al:

Thanks for keeping me in the loop about the above referenced hearing. Speaking only for myself, I would not be inconvenienced should you decide to grant a continuance of Friday's proceedings to a future date. But, as you say, it would be appropriate that the future hearing date and time would be well publicized in advance.

If at all possible, if you decide on a continuance before the scheduled 10am hearing on Friday, could you let me know? Likewise, if customary procedures require that the hearing be held if only for the motion to continue, I wouldn't want to miss the actual hearing if the motion were denied. So, please let me know if, in this circumstance, the public's attendance is advised.

Many thanks for your help on this important issue.

Best Regards,

Gregory T. Bean
14 South Beechwood Ave
Catonsville, MD 21228

From: Peter Zimmerman [pzimmerman@baltimorecountymd.gov]
Sent: Wednesday, August 20, 2014 3:22 PM
To: John Beverungen; G. Scott Barhight
Cc: Debra Wiley; Sherry Nuffer; gbean@cybergroup.com; Lennonk@pbworld.com
Subject: Re: Morsberger property, Case I-528, 2014-234-SPHXA

Dear Judge Beverungen,

Thank you for your note.

Our office has no objection to a continuance, with scheduling to be done cooperatively. To be fair, in light of the apparent issues, we plan to attend and participate at the hearing.

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I welcome your input.

John Beverungen
ALJ

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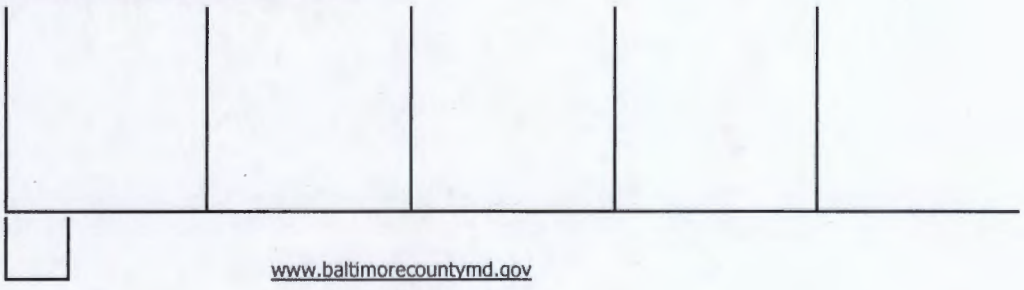

www.baltimorecountymd.gov

Debra Wiley - RE: Morsberger property, Case I-528, 2014-234-SPHXA

From: John Beverungen
To: 'G. Scott Barhight'; Greg Bean; Peter Zimmerman
Date: 8/20/2014 4:41 PM
Subject: RE: Morsberger property, Case I-528, 2014-234-SPHXA
CC: Debra Wiley; Lennonk@pbworld.com; Sherry Nuffer

Mr. Bean,

Based on the emails I have received this afternoon, it does not appear as if anyone has expressed opposition to the postponement request. In all likelihood it will be granted, and you will be notified of the new hearing date. As such, I do not believe it will be necessary for you to attend on Friday, but I will leave that for you to decide.

John Beverungen
ALJ

>>> Greg Bean <gbean@cybergroup.com> 8/20/2014 4:16 PM >>>

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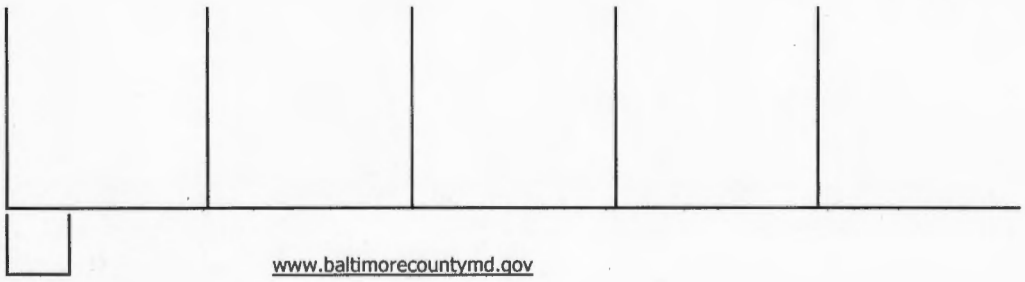
CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

John Beverungen - Re: Variance Hearing- Catonsville Morseberger Property 2014-234-SPHXA

From: Arnold Jablon
To: Gustin, Jeff & Sharon
Date: 8/20/2014 5:47 PM
Subject: Re: Variance Hearing- Catonsville Morseberger Property 2014-234-SPHXA
CC: District 1, County Council
BC: John Beverungen

Mr. and Mrs. Gustin,

Thank you for your email. As you know, the proposed development is subject to a quasi-judicial hearing before an administrative law judge. I will forward
this email to the Office of Administrative Hearings to be included in the case file for the judge's review and consideration.

>>> Jeff & Sharon Gustin <sjscnabby@gmail.com> 8/20/2014 3:49 PM >>>
Dear Mr. Jablon:
I have lived in Catonsville for over 30 years. I am writing to express my opposition to any variance for the development of 43 homes in "Old Catonsville" on the Morsberger Property 2014-234-SPHXA.
I understand that the project was initially approved in 2008 but I feel that there have been many changes in Catonsville that now make it unwise to proceed with this project at all, much less with variances.
I am unable to attend the hearing scheduled for Friday morning August 22nd as I will be traveling to PA.

Traffic along South Rolling Road, Frederick Road & Hilton & Montrose Avenues is increasing steadily and will surely continue to do so once the huge new Brightview complex is completed. The improvements to our YMCA, while much needed and greatly appreciated, also contribute to this increased traffic. There is a sign posted at the corner of South Rolling Road & Wilkens Ave. that indicates that additional housing is going to be built there thus taking away still more open space & increasing traffic.

I strongly object to the fact that Mr. Whalen is requesting variances that increase the home footprint size from 40 feet by 40 feet to approximately 55 feet by 55-feet; reduce distance between 29 of the lots from 30 feet to 20 feet in order to increase the size of the homes; changes to the front or rear setback requirements of certain homes and **changing the required distance from the forest buffer** for three of the homes, according to the development plan. The plans for these proposed houses do not fit in with the current houses in this section of Catonsville. Larger homes on smaller lots will seem out of place in comparison to many of the homes on larger wooded lots in the area.

In addition, these variances will surely exacerbate the overcrowding of Hillcrest Elementary school which currently has 817 students enrolled with a state-rated capacity of 666. Hillcrest Elementary is the most overcrowded school in Catonsville.

I also object to losing any more open space in Catonsville (see above: requested variance: **changing the required distance from the forest buffer)**. The manner in which the front 10 acres of land on South Rolling Road was totally stripped to allow for the development at the YMCA and new Brightview complex is a

disgrace. That land was filled with old growth oak forest which cannot be replaced. I fear that the same thing would happen if the Morseberger property were developed by Mr. Whalen. Mr. Whalen lives in a single family home on 5 prime acres of land adjacent to the Patapsco State Park yet he wishes to cram too many oversized houses onto one property. This seems very greedy to me.
I would like to see this project halted all together.

Thank you for hearing my concerns.
Sharon Gustin
113 Oakdale Ave.
Catonsville, MD 21228

Kelly Lennon, P.E.
747 White Oaks Ave
Catonsville, MD 21228

August 21, 2014

John Beverungen, Administrative Law Judge
The Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, MD 21204

RE: Louis Morsberger and Louann Tracy
Case No.: 2014-234-SPHXA

Dear Judge Beverungen,

As a local County resident and property owner who will be impacted by the proposed development of the above referenced property, I appreciate the opportunity to submit by comments and concerns regarding the first material amendment and Third Amendment of this parcel.

I have several concerns with the proposed material amendment and variance requests including stormwater management, zoning variances and open space fee in lieu. As I am unable to attend the hearing on August 22, 2014 due to prior commitments, I am detailing my concerns in this letter.

Stormwater Management:

As a licensed water resource engineer in the state of Maryland, one of my primary concerns regarding this proposal is that any new development in the County must meet the State of Maryland and Baltimore County's current stormwater regulations. On April 24, 2007 Governor Martin O'Malley signed the "Stormwater Management Act of 2007" (Act) which became effective on October 1, 2007. Prior to this Act, environmental site design (ESD), was encouraged through a series of credits found in Maryland's Stormwater Design Manual. The Act requires that ESD, through the use of nonstructural best management practices and other better site design techniques, be implemented to the maximum extent practicable. After passage of the Act, formal changes had to be made to the code of Maryland regulations (COMAR). Changes to COMAR 26.17.02 to address the Stormwater Management Act of 2007 became effective on May 4, 2009.

COMAR Section 26.17.02.01A states that "The primary goals of the State and local stormwater management programs are to maintain after development, as nearly as possible, the predevelopment runoff characteristics, and to reduce stream channel erosion, pollution, siltation and sedimentation, and local flooding by implementing environmental site design to the maximum extent practicable (MEP) and using appropriate structural best management practices only when necessary." This is particularly important at this location due to its proximity to Patapsco State Park and the stream channel running through the parcel which is a tributary to the Patapsco River.

Baltimore County Code Section 33-4 details the Stormwater Management requirements for new development and redevelopment for the County. Section 33-4-106.1 discusses "Satisfying Minimum Control Requirements" associated with site stormwater management. Section 33-4-106.1a states that the applicant must demonstrate that ESD (environmental site design) is being implemented to the MEP (maximum extent practicable) and, only where absolutely necessary, is a structural BMP being used in developing a stormwater management plan. Section 33-4-106.1b(2) provides a list of acceptable treatment options that can be utilized to meet the ESD to MEP criteria:

- Disconnection of rooftop runoff;
- Disconnection of nonrooftop runoff;
- Sheetflow to conservation areas;
- Rainwater harvesting;
- Submerged gravel wetlands;
- Landscape infilration;
- Infiltration berms;
- Dry wells;
- Micro-bioretention;
- Rain gardens;
- Swales;
- Enhanced filters; and
- Any practices approved by the Department and the administration.

Structural stormwater management practices such as the three proposed stormwater management facilities (i.e. stormwater management ponds) that are being proposed on the Morsberger Property Development Plan, third amendment dated 5/7/14 are to be used only after the above ESD techniques are applied.

In the plans for the "Third Amendment" dated 5/7/14 you will notice that the developer has implemented ESD techniques for the additional impervious area they are requesting in this amendment due to the larger building sizes. They have termed this as "redevelopment" and have installed dry wells on each property in order to do this. While the addition of dry wells is a

positive addition to the plan, my concern is that the dry wells have been sized only for the increase in building size requested by this amendment and that they have been designed using a "redevelopment" rate rather than a new development rate. The redevelopment category was intended to be used on previously developed sites with existing impervious surface (such as old shopping centers, industrial sites, etc.) that can be repurposed and at the same time provide water quality treatment where none previously existed. Although a plan has been previously developed, this site was never built and thus should not qualify for the redevelopment classification.

Although this project was initially proposed in the mid 2000's, it should be subject to the current stormwater management regulations. COMAR section 26.17.02.01C states "*This chapter applies to all new development and redevelopment projects that do not have final approval for erosion and sediment control and stormwater management plans by May 4, 2010.*" Therefore, any proposed amendments to the final approved plan, particularly material amendments such as being proposed in this case which increase building/impervious area, should preclude the site from being grandfathered in to the old stormwater regulations and would require an update of the proposed stormwater management plan to meet the current guidelines and ESD control measures.

The Development Plan for this property was prepared May 10, 2006 and was revised on July 30, 2007. It would have been designed to the old standards and does not include the implementation of ESD to the MEP. As noted above, the developer has introduced some ESD techniques on the site but has used the redevelopment criteria and has only proposed the treatment of the additional building sizes.

In addition to the above referenced stormwater management regulations, stormwater management is such an important topic within the state of Maryland and Chesapeake Bay region that Maryland House Bill 987, passed in 2012, mandates that individual Counties assess fees to all property owners to fund mandates to improve water quality. Each Baltimore County resident living in a single family home, myself included, is required to pay a $39/yr storm water fee to support water quality improvement. Baltimore County's public website states "*Stormwater runoff from impervious surfaces – such as roadways and rooftops - causes a range of environmental problems including pollution of the Chesapeake Bay and other waterways, more frequent flooding, increased erosion and contamination of drinking water.*" When each resident within the County is being assessed an annual fee to address previous stormwater management and water quality issues within the County, I believe that all new development must, at a minimum, meet the basic stormwater management requirements set forth in County Code Section 33-4.

Zoning Setback Variances:

When we purchased our home in 2013, one of the things we most enjoyed about the area and neighborhood was the wooded nature of the neighborhood and the proximity to Patapsco State

Park. We researched the land ownership of the area and were aware that the property in question had potential to be developed and was zoned DR 2. We understand that people have the right to develop their properties and as a local property owner, I support that. However, that development must comply with current zoning regulations.

I strongly disapprove of the zoning setback variances being requested in this case. In my opinion, they are trying to put larger homes on the parcel and make more money for themselves while sacrificing the look and feel of the neighborhood area for DR 2.

Open Space Fee In Lieu:

For each zoning classification, there are specific open space requirements. This can consist of passive and active open space. Open space is important within a community from an aesthetic point of view, social point of view and from a water quality point of view. According to the plan dated 5/7/14, the developer in this plan has provided 10,000 sf of passive open space and has requested fee in lieu payments for the other 33,000 sf of required open space. I think that given this parcels location in a wooded area and near a state park, the requirement of open space within the development is of greater importance. I don't see any physical constraints on the parcel requiring them to pay fee in lieu for the open space requirement other than the desire to build more homes on the parcel. Again, if the zoning and County regulations require 43,000 sf of open space for this parcel all that I am asking is that this requirement be enforced.

Community Input:

The last community input meeting for this proposed development was held on 11/29/05. The proposed material amendment is a significant change and should require another community input meeting. I think this is a reasonable request since the last meeting occurred almost 9 years ago and there have been new residents/concerned parties since that time.

I thank you for the opportunity to express my concerns about the above mentioned material amendment and proposed zoning variances. As noted above, I strongly believe the following:

- The proposed development should meet all current stormwater requirements (ESD, environmental site design, techniques should be implemented to the maximum extent practicable before structural best management practices are implemented). The proposed development should not qualify for "redevelopment" status because no development has physically been constructed on the site to date.
- Open space requirements are feasible to include in this development plan and that open space waivers to allow the payment of fee in lieu should not be permitted.

- Zoning setback variances will have an aesthetic impact to an established, desirable neighborhood. Developer should not be granted the series of setback variances based on the desire to sell larger homes at the expense of the community.
- A community input meeting should be held again due to the material amendment and the length of time since the last community input meeting.

If you have any questions or require additional information, please let me know.

Sincerely,

Kelly Lennon, P.E.
Concerned Resident

Cc: Peter Zimmerman (via email)
G. Scott Barhight, Esquire (via email)
Councilman Quirk (via email)
Arnold Jablon (via email)

10 km

Administrative Hearings - letter: Case 2014-234-SPHXA

From: Jen Bean <jen.corle@gmail.com>
To: <administrativehearings@baltimorecountymd.gov>
Date: 8/21/2014 9:14 PM
Subject: letter: Case 2014-234-SPHXA
Attachments: Jen Bean letter case 2014 234 SPHXA.docx

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Could you please confirm whether the hearing for this case got postponed?

Thank you,

Jen Bean
600 Hilton Avenue
Catonsville, MD 21228

443-695-3119

Jennifer Bean
600 Hilton Avenue
Catonsville, Maryland 21228

August 20, 2014

Administrative Law Judge
Zoning Review Board
County Office Building
111 West Chesapeake Avenue
Room 111
Towson, Maryland 21204
administrativehearings@baltimorecountymd.gov

Re: Louis Morseberger and Louann Tracy
Case No. 2014-234-SPHXA

Dear Judge Beverungen:

I appreciate the opportunity to submit a letter in reference to the Case No. 2014-234-SPHXA. I oppose the granting of variances for this property.

We purchased our house at 600 Hilton Avenue in 2013. Because we purchased last year, this is my first opportunity as a nearby resident to participate in the public hearing process for this proposed development. Since the county has previously approved construction of houses on this land, I understand some of my concerns may not be applicable to this hearing because they may be related to matters already decided. I nonetheless would like to note all my concerns briefly.

I am concerned about both the volume and speed of traffic currently using Hilton Avenue. When I push a baby stroller on Hilton Avenue traveling between Tredegar Avenue and Forest Glen Court (where a sidewalk resumes), I note the danger from this traffic and stop and step aside frequently to allow cars to pass. I'm not alone in my worry about safety for pedestrians on this road: earlier this spring, someone put up a sign in this same particularly dangerous stretch of road that read, "HILTON KIDS THANK YOU FOR SLOWING DOWN."

I'm concerned about school overcrowding. A Baltimore Sun article published August 11, 2014, "Development of the Morsberger Property Resumes," indicates the Department of Planning assesses impact of new developments on public schools. That article described a 2009 Baltimore County Public School publication that tells us "a single family dwelling within Catonsville will yield 0.179 elementary age students, 0.09 middle school age students and 0.126 high school age students." I do not know if this is the formula used to support building houses on the Morsberger property. However, the 2004 report, "Baltimore Public Schools Pupil Yield Factor Study" (http://www.bcps.org/offices/strategic_planning/pdf/Yield%20Factor%20Report%20Final%20P1.pdf) study notes the importance of using points of reference. This report includes national yield factors data comparing different types of residences. According to this report, for houses built after 1990, the average number of children per house is .64. I believe the new houses will be attractive to families with children. I am concerned that the impact to schools may have been understated within the documentation that supported getting approval to build the houses.

The park, the forest, and preservation of open spaces are what differentiate this area from Baltimore City, where I lived previously. I believe waivers of both open space requirements and environmental (forest buffer) requirements have been purchased or requested, and I do not support these waivers.

There is a burden of proof on the petitioners to justify the variances currently under review. The petitioners must prove the property on which the houses are to be built is unique, unusual, or different from the surrounding properties such that the zoning provisions should apply unequally to their property as compared to surrounding properties.

The petitioners also bear a burden to prove that the plan to construct 43 houses as previously approved creates a practical difficulty or a hardship using written criteria for each of these tests.

If the variances requested are approved, they would represent a more ideally permitted use for the land from the standpoint that a potential builder consequently could use a greater assumption of profit in the building planning process. In this situation, a builder would pay a higher price to the petitioners for the land then he might otherwise pay. A desire for more profit is rational; however the opportunity for greater profit does not support granting a variance.

I request your office to consider whether the spirit of the zoning process has been upheld. Specifically, I believe variances have been requested piecemeal over time, and the final building plan requested is considerably different from the original request. I don't believe this was done strategically or purposefully to evade the process or community shock that might have been generated by asking for everything at once, but I am nonetheless concerned that, over time, people have become desensitized to the current planned use of this land based on past approval to simply build houses. It is not possible to say what would have resulted if the plan today had been requested in full in 2007. However, it is important that petitioners generally are not able to use resources including timing to secure approvals at the expense of zoning requirements and the public hearing process that protects a community's interests. I understand not all approved waivers were made through a public hearing process.

Finally, I request your office review comments that I believe Mr. Steve Whalen, who I believe is retained by the petitioners to help them in their effort to sell their land for this planned use, wrote following the Baltimore Sun article I mentioned earlier (http://www.baltimoresun.com/news/maryland/baltimore-county/arbutus-lansdowne/ph-ca-morseberger-0813-20140812,0,3178206.story). A commenter who identifies as "steve whalen" states, "We easily could have proposed a planned unit development at Morseberger of 60 cluster houses, semi-detached, in groupings of 3 or 4 units, and achieved maximum build-out with an architecturally significant product that is in very good demand." In my opinion, this statement suggests a presumption of success in the administrative system overseeing zoning. I believe it implies the community should consider itself fortunate that there will be 43 additional houses including an estimated 400 additional car trips daily on Hilton Avenue instead of some potentially higher number of differently styled units with some different factor of car trips. Finally, this comment may indicate monetary calculations were initially made including a figure of 60 houses, which, if true, would support my belief the variances requested are simply profit-motivated.

I appreciate the opportunity to submit this letter.

Sincerely,
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John Beverungen - Fwd: letter: Case 2014-234-SPHXA

From: Jen Bean <jen.corle@gmail.com>
To: <jbeverungen@baltimorecountymd.gov>
Date: 8/22/2014 10:18 AM
Subject: Fwd: letter: Case 2014-234-SPHXA
CC: <administrativehearings@baltimorecountymd.gov>
Attachments: Jen Bean letter case 2014 234 SPHXA.docx

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Sincerely,
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600 Hilton Avenue

Hilton Avenue Property

I created a subdivision on my own property. and from that experience I learned two things:

1) Variances cannot be self-imposed. I had to work around flood plains and wachung soil in a way to develop WITHOUT variances.
2) Economic benefit, in and of itself, is not a reason for variances to asked for. Or granted.

In the case of the Morseberger property, it is the design of the property itself that has created a situation requiring variances. The need for variances is, in other words, self-imposed.

This property could easily be developed in way not requiring variances. The way to do that would be to create a design incorporating less units. That, of course, would translate to less profit. However, less profit is not a hardship. Economic benefit is not a reason for variances to be asked for or be granted.

I followed regulations which were established with thought and good reason by the county, and I believe that other property owners and developers, no matter how professional, should be required to do the same.

I thank you for your attention.

Alice Fort Dorsthow
1820 Frederick Road
Catonsville, MD 21228
410-747-8854

Administrative Hearings - Fwd: letter: Case 2014-234-SPHXA

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600 Hilton Avenue

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

August 20, 2014

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

Re: Louis Morsberger and Louann Tracy
Case No.: 2014-234-SPHXA

Dear Judge Beverungen,

This case involves a "Third Amendment" to an approved development plan and petition for special hearing to amend the final development plan. The amendment is plainly material, that is to say, important or significant.

The relevant section of the Code on amendments to development plans is 32-4-262;

"§ 32-4-262. AMENDMENTS TO DEVELOPMENT PLANS.

(1) Any material amendment to an approved non-residential Plan shall be reviewed and approved in the same manner as the original plan.

(2) Any material amendment to an approved residential Development Plan or plat shall be reviewed in accordance with this title, and with respect to that portion of the original plan or plat to which the amendment pertains, the amendment shall be reviewed for compliance with all current law. For purposes of this paragraph, any amendment to a plan or plat that results in an increase in density or increase in the number of buildable lots is a material amendment."

Among other things, the amendment is material because the proposal to enlarge the buildings spans the entire development, all lots, and involves zoning numerous setback variances and amendment of the final development plan under the rubric of the zoning law.

We received a detailed inquiry from Kelly Lennon, P.E., an area resident of Patapsco Woods. The inquiry included zoning variance issues and stormwater management concerns.

Subsequently, we reviewed the e-mail from area resident Gregory Bean, which is in the case file. Also, many citizens attended the 2007 hearing on the original development plan.It appears there is much interest in the potential land use on this site. It should be noted that petitioner's attorney, Scott Barhight, met with me some time ago to outline the background of the latest amendment.

Under the circumstances, it appears reasonable to review the situation and submit these preliminary observations. The interested parties may then have the opportunity to respond and/or to address them at the upcoming hearing scheduled August 22, 2014.

On April 17, 2007, Hearing Officer William Wiseman approved the original plan for 42 dwellings on this 29-acre property zoned D.R. 2 on the west side of Hilton Avenue in Catonsville. Case No. I-528. There were many interested citizens who participated.

Concurrent with the approval, there were a number of environmental variances, waivers, alternatives, and conditions relating to forest buffer, forest conservation, and wetlands. DEPRM either had approved these or they were still in process. The Hearing Officer viewed them as exclusively within DEPRM's jurisdiction.

Again, the new proposal is actually the "Third Amendment" to the approved plan. The amended site plan refers to two previous amendments approved by the Development Review Committee and PDM or PAI Director in 2008 and 2011.

The "First Amendment" added new lot 43; allowed a new open space waiver, relocated other lots; revised a turnaround and right of way; and revised grading, utilities, landscaping, DEPRM alternatives analysis and variance notes, and forest buffer and conservation area. This clearly should have been reviewed as a material amendment under Code Sec. 32-4-262(2) because of the addition of lot 43. The loss of open space is also material, along with the other changes. These should all be reviewed in conjunction with the current amendment, as if for the first time.

The "Second Amendment" shifted boundaries, lot lines, and revised grading, utilities, landscaping, forest conservation area, and general notes. These became a cumulative addition to the material additions of the First Amendment.

This third amendment enlarges building footprints on all lots, requests numerous zoning setback variances, revises grading, and adds retaining walls, SWM water quality wells, and SWM easements, along with an SWM data redevelopment chart. The setback variances involve side building face to side building face, side building face to public right of way, side building face to tract boundary, and front building face to public right of way, rear building face to rear property line, and reduction of principal structure forest buffer setbacks. The setback variances are multiple, extensive, and significant in magnitude.

Having reviewed the background, let us provide this outline of issues, as we see it. They relate to the zoning setback variances; special hearing to amend the final development plan; stormwater management; environmental variances, especially as to forest buffer; open space; and the apparent absence of a community input meeting.

The zoning setback variances. For the zoning variances, the petitioner's burden is heavy to prove that there are "special circumstances or conditions which exist that are peculiar to the land or structure" (as usually translated, "unique"), which result in practical difficulty. Trinity Assembly of God v. People's Counsel 407 Md. 53, 79-85 (2008). By "practical difficulty" is meant three factors, in paraphrase: unreasonable prevention of the use of the property for a permitted purpose, substantial justice to the applicant and other property owners, and that the spirit of the ordinance will be observed and public safety and welfare secured. The full quote is at 407 Md. at 83-84, quoting McLean v. Soley 270 Md. 208, 213-14 (1973).

In light of the previous approvals and the availability of development in compliance with applicable zoning area standards, it is hard to foresee or visualize any justification for the current variances based on "uniqueness" or any resulting "practical difficulty." It looks like the latest plan involves a choice to provide larger upscale housing based on economic or market conditions. But fluctuations in economic and market conditions do not justify variances under the above standards. See also Easter v. Mayor & City Council of Baltimore 195 Md. 395, 400 (1950); City of Baltimore v. Polakoff. 233 Md. 1, 9 (1963); Burns v. Mayor & City Council 251 Md. 554, 557-59 (1968). The variances just involve houses with larger footprints. It is unclear whether the heights are changed. These are marketing choices.

Whether the larger dwellings fit into the neighborhood is also an appropriate subject of inquiry under the "practical difficulty" standard. We have not had a chance to review any pattern book, which presumably would show the heights and floor areas.

It is also relevant to evaluate the relationship of the setback variances to the environmental variances, particularly the forest buffer setbacks, subject to the "practical difficulty or unreasonable hardship" standard of Code Sec. 33-3-106(a).

The setback variance problem is compounded by the open space waiver approved without a hearing in the PAI/DRC first amendment process.

The special hearing for amendment of the development plan under zoning law. This relates to BCZR Sec. 1B01.3.A.7. We assume that none of the lots have been sold. In light of the hearing requirement, the Planning Department evidently considers that Petitioner must satisfy the BCZR Sec. 1B01.3.A.7.b tests of consistency with the spirit and intent of the original plan and the BCZR Sec. 502.1 special exception standards pertaining to adverse impacts.

The Planning Department correspondence dated July 30, 2014, page 4, states,

> "The Department of Planning does not object to the petitioner's request for a Special Hearing or a Special Exception to amend the Final Development Plan. The proposed increases in building size are within the spirit and intent of the original plan and with the provisions of the Comprehensive Manual of Development Policies. Granting this Special Exception would not be detrimental [sic] health, safety, and general welfare of the local neighborhood."

It is difficult to see how the larger houses could be found consistent with the spirit and intent of the original plan, which was for much smaller houses which complied with zoning area standards. The loss of open space is another obvious inconsistency.

As far as the special exception recommendation goes, there are no stated reasons for DOP's broadly favorable conclusion.

Stormwater management. County Code Sec. 32-4-262(2) requires that material amendments to residential developments be reviewed under current law. Ms. Lennon conveyed her concern that the project does not conform to current stormwater management law.

The law applicable to the 2007 approval has been amended significantly. The major new legislation is Bill 25-10. We could not find anything in Bill 25-10 to grandfather material amendments. Therefore, the stormwater management plan should conform to the 2010 law, including environmental site design (ESD) and other requirements.

Petitioner's revised site plan does include red-lined "Stormwater management data; redevelopment ESD." Perhaps this relates to Bill 25-10, but the site plan is not clear on this point. There are some parts of the DEPS comments which pertain to the 2007 standards, and others which suggest there may be revisions. This issue warrants clarification and scrutiny.

Environmental variances. There are many environmental variances and deviations, and with some impact from the amendment. All the variances should anyway be reviewed to determine if they still meet applicable standards. The hearing officer definitely does have authority to review every environmental issue in order to assure that the development complies with all laws. County Code Sec. 32-4-114(a). Notably, we disagree with Hearing Officer Wiseman's 2007 view that these issues are within the exclusive purview of DEPS.

Open Space. It appears that there was no open space waiver approved in 2007, but that the first amendment included an opens space waiver, stating,

> "LOCAL OPEN SPACE REVISED – 32,000 S.F. REMOVED, FEE IN LIEU FOR 33,000 S.F."

How this could have been be done, justified, and approved as a "refinement" without a hearing for a material amendment is a mystery. The open space waiver needs to be examined.under Code

Sec. 32-6-108 and particularly subsection (g) for good cause based on the purported lack of suitable land or environmental considerations. We cannot discern any justification for the waiver.

In light of the latest material amendment for larger dwellings, along with the previous lack of hearing on the waiver, the open space situation should be subject to new scrutiny as to its own merit and as part of the picture for the zoning setback variances. We could not find any comment from the recreation and parks department updating the situation.

Community Input Meeting: During our review, we could not find any indication that a community input meeting was held on the amendment. Given the requirement that a material amendment be reviewed under the "this title," (Article 32, Title 4, "Development) as well as under "current law," it appears to this office that a CIM was and/or is required under Code Sec. 32-4-217.. This should be reviewed at the hearing.

Summary. Upon preliminary review after inquiry and/or statements of concern by citizens, it appears there are multiple issues which warrant a hard look and serious scrutiny. It appears that the impetus for this project amendment is economics and marketing, but this cannot properly supersede the rule of law. All of these issues are open for exploration at the hearing.

We hope this letter will be of assistance as this case moves forward.

Sincerely,

Peter Max Zimmerman

Peter Max Zimmerman
People's Counsel for Baltimore County

PMZ/rmw
cc: G. Scott Barhight, Esquire, attorney for Petitioner (sent via email & first class mail)
Kelly Lennon, P.E. (sent via email & first class mail)
Gregory T. Bean (send via email and first class mail)
James Markle, P.E. (sent via email & first class mail)
Jennifer Nugent, Project Planner (sent via email & first class mail)
Colleen Kelly, PAI (sent via email & first class mail)
Barry F. Williams, Director of Recreation and Parks

WHITEFORD, TAYLOR & PRESTON L.L.P.

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
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LEXINGTON, KY
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G. SCOTT BARHIGHT
DIRECT LINE (410) 832-2050
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gbarhight@wtplaw.com

August 20, 2014

VIA HAND DELIVERY

The Honorable John E. Beverungen
The Office of Administrative Hearings
Jefferson Building, Suite 103
105 W. Chesapeake Avenue
Towson, Maryland 21204

RECEIVED
AUG 20 2014
OFFICE OF ADMINISTRATIVE HEARINGS

Re: Morsberger Property; Case No. 2014-0234-SPHXA

Dear Judge Beverungen,

Please accept this letter with regard to the above-referenced matter, which is scheduled for a public hearing on Friday, August 22, 2014 at 10:00 a.m. We are in receipt of People's Counsel's letter, dated August 20, 2014, which indicates that there is opposition to the relief we are requesting. We are not aware of the extent or substance of the opposition. In order to provide the appropriate time to engage in meaningful discussion with our purported opposition, we respectfully request a postponement of this matter.

Thank you for your kind consideration. Should you have any questions, please feel free to contact me.

Sincerely,

G. Scott Barhight

GSB:adb

Cc: Peter Max Zimmerman, Esq.
2105701

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gbarhight@wtplaw.com

September 2, 2014

VIA HAND DELIVERY

The Honorable John E. Beverungen
The Office of Administrative Hearings
Jefferson Building, Suite 103
105 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Morsberger Property; Case No. 2014-0234-SPHXA; PAI No. 01-528

Dear Judge Beverungen,

Please accept this as a follow up to my letter, dated August 29, 2014, regarding the above-referenced matter. I have attached a copy of the letter for your reference. To clear up any confusion, please note that it is our intention to withdraw our request for zoning relief and also our requests to amend the development plan and to amend the Final Development Plan for the Morsberger Property.

Thank you for your kind consideration. Should you have any questions, please feel free to contact me.

Sincerely,

G. Scott Barhight

GSB:adb

Cc: Peter Max Zimmerman, Esq.
Francis X. Borgerding, Jr., Esq.

2106471

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August 29, 2014

RECEIVED

AUG 29 2014

OFFICE OF ADMINISTRATIVE HEARINGS

VIA HAND DELIVERY

The Honorable John E. Beverungen
The Office of Administrative Hearings
Jefferson Building, Suite 103
105 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Morsberger Property; Case No. 2014-0234-SPHXA

Dear Judge Beverungen,

Please accept this letter with regard to the above-referenced matter. In light of the collective community concern which was revealed at the public hearing on August 22, 2014, we do not wish to move forward with our requested relief and hereby withdraw our Petition.

Thank you for your kind consideration. Should you have any questions, please feel free to contact me.

Sincerely,

G. Scott Barhight /gsb

G. Scott Barhight

GSB:adb

Cc: Peter Max Zimmerman, Esq.
Francis X. Borgerding, Jr., Esq.

2106471

Debra Wiley - Morsberger Prop. (Develop, PAI #01-0528 AND Zoning Case No. 2014-0234-SPHXA

From: Debra Wiley
To: Lewis, Kristen; Putty, Darryl
Date: 9/4/2014 12:25 PM
Subject: Morsberger Prop. (Develop, PAI #01-0528 AND Zoning Case No. 2014-0234-SPHXA
Attachments: 20140904120115897.pdf

Good Morning,

Please find attached a copy of Judge Beverungen's decision in the above-referenced matters. The respective files are ready for pick up.

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

>>> <officeofhearings@baltimorecountymd.gov> 9/4/2014 12:01 PM >>>
This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 09.04.2014 12:01:15 (-0400)
Queries to: officeofhearings@baltimorecountymd.gov

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 14, 2014

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

SUBJECT: Zoning Advisory Committee Meeting
For May 19, 2014
Item No. 2014-0234

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comments.

Regarding the Special Hearing-
This is an unusual request for two reasons: these requests have always gone through the Development Review Committee (DRC); and the changes shown in red on the plan would not normally be considered material and therefore would not be sent to the ALJ. I note that the developer has filed with the DRC, but that meeting will not be held until after these comments are due. I will have substantive comments on the red-lined development plan other than those below which I will render after the DRC meeting and before the development plan is signed.

Regarding the Special Exception-
No comment.

Regarding the requested variances-
Where there are drainage and utility easements between homes, the side yard setback should be at least 11 feet with a minimum side building face to side building face of 22 feet, so that the building foundations are not in the easements. This occurs between the following lots: 3 & 4, 5 & 6, 11 & 12, 17 & 18, 20 & 21, 23 & 24, and 33 & 43.
Should Variance request #4 refer to lot 43 instead of lot 34?
I have no comment on the other variance requests.

* * * * *

DAK
cc:file

ZAC-ITEM NO 14-0234-05142014.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability (DEPS) - Development Coordination

DATE: June 20, 2014

SUBJECT: DEPS Comment for Zoning Item # 2014-0234-SPHXA
Address 631 Winners Circle
(Morseberger/ Tracy Property)

Zoning Advisory Committee Meeting of May 12, 2014.

__X__ The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

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

__X__ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

Lot #20 will require a Forest Buffer variance request to be submitted and approved by this office in order to reduce the minimum 35 foot setback from the Forest Buffer Easement to 22 and Lots # 28 & 29 will require a request to be submitted and approved by this office in order to reduce the minimum 35 foot building setback from a Forest Conservation Easement to 32 & 29 feet respectively.

Reviewer: J. Russo – Environmental Impact Review (EIR)

PLEASE PRINT CLEARLY

CASE NAME Morsberger Prop.
CASE NUMBER BA-0528 + 2014-0234-SPHX
DATE 8-22-14

Developer's
~~PETITIONER~~'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
ADAM BAKER	1 W. PENNSYLVANIA AVE, STE 300	TOWSON, MD 21204	ABAKER@WTPLAW.COM
A. SCOTT BARHIGHT	"	"	ABARHIGHT@WTPLAW.COM
Lou Morsberger	5610 Cedar Parkway	Chevy Chase, MD 20815	lou@ljmorsberger.com
Louann M. Tracy	612 Hilton Ave	Catonsville, Md 21228	Louanntracy@yahoo.c
Mark Fleischner	2 W. Rolling Crossroads Dr Ste 203	Catonsville, MD 21228	markfleischner@whalenproperties.com

PLEASE PRINT CLEARLY

CASE NAME Thorsberger Prop.
CASE NUMBER 01-0528 + 2014-0234-SPHA
DATE 8-22-14

CITIZEN'S SIGN - IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
Heather Skrane	1617 park grove ave	catonsville, MD 21228	heather.skrane@gmail.com
ALICIA ALCORN	1610 park grove ave	catonsville, MD 21228	aalcorn@tpmlaw.com
JOSEPH MCNAMARA	701 WHITE OAKS AVE.	CATONSVILLE MD 21228	joemcnamara@verizon.net
Eric Lamb	407 Montrose Ave	" "	elamb999@gmail.com
MICHAEL COOKE	800 HILTON AVE.	CATONSVILLE MD 21228	FOREST GIRL FARM@VERIZON.NET
Jerry Cerondo	530 Hilton Ave	Catonsville Md 21228	Cerondo@Verizon.net
Peter Max Zimmerman	105 W. CHESAPEAKE AVE, TOWSON		pzimmerman@baltimorecountymd.gov
RYAN COUDON	714 HILTON AVE	CATONSVILLE, MD 21228	rcoudon@planning.coudon.com
ERIN COUDON	714 Hilton Ave	Catonsville, MD 21228	erincoudon@comcast.net
Alice Dorshow	1820 Fredericks Rd	Catonsville MD 21228	awfdorshow@aol.com
Brian Bean	600 Hilton Ave	Catonsville MD 21228	bbean@sobosoftllc.com
CHRIS DONAHUE	1623 PARK GROVE AVE	CATONSVILLE MD 21228	ccdonahue@earthlink.com
Ann Staybaugh	1701 PARK GROVE	Catonsville MD 21228	FRIENDS59@VERIZON.NET
Bram Siple	1609 Park Grove Ave	Catonsville, Md 21228	brynls@yahoo.com
Francis X. Borgerding, Jr.	409 washington ave suite 600	Towson, md 21204	fborgerding@eaglaw.com

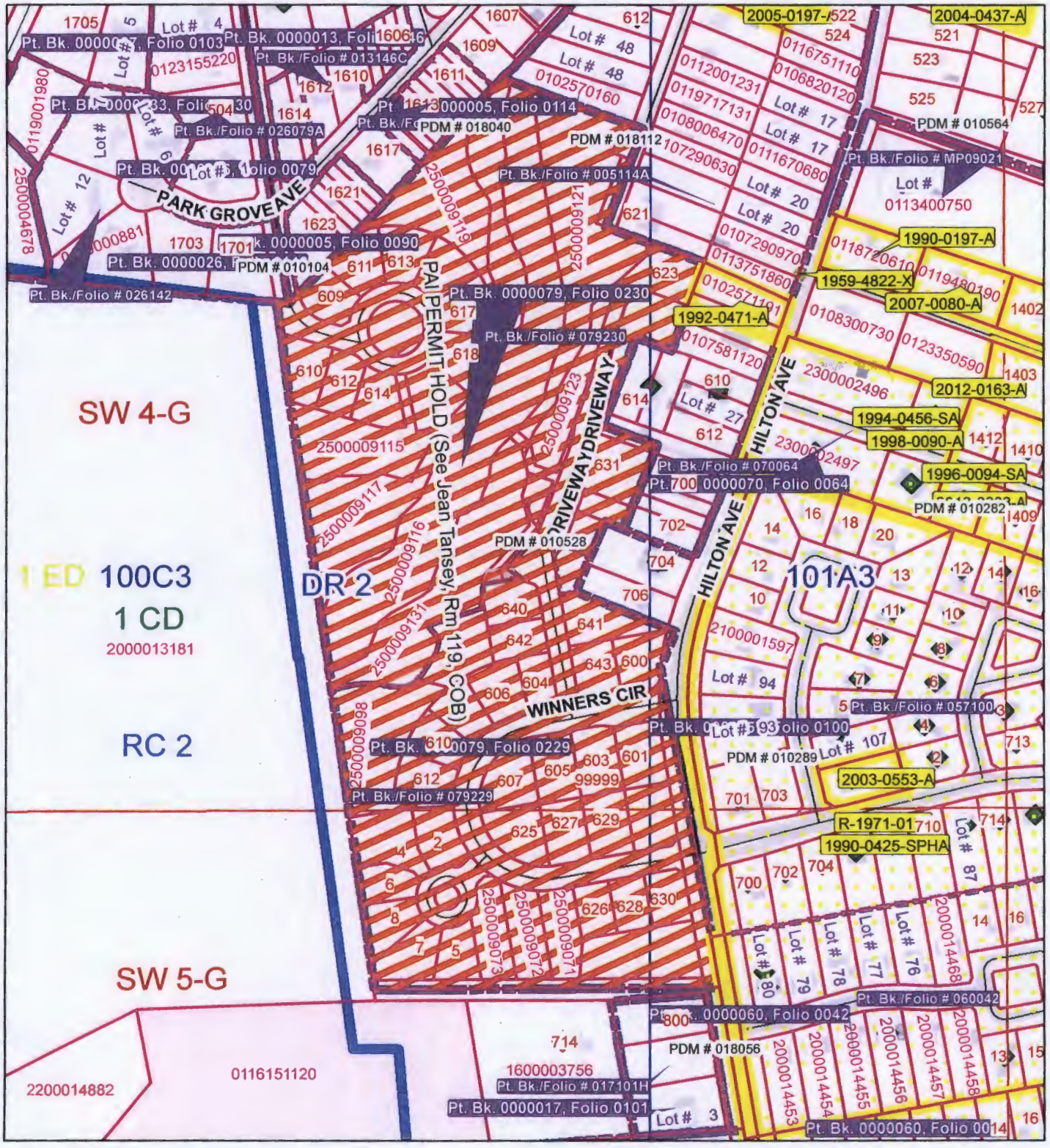
PLEASE PRINT CLEARLY

CASE NAME Thorsburger Prop.
CASE NUMBER 01-0528 + 2014-0239-SPHX
DATE 8-22-14

COUNTY REPRESENTATIVE'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
LaChelle Imwiko	County office Bldg	x3259	Limwiko@baltimorecountymd.gov
JEAN TANSEY	" " "	x 3751	
Aaron Tsui	ZONING	x 3391	
Dennis Kennedy	DPR	x 3751	
DARRYL PUTTY	PAI-DEV. MAN.	x 0716	

Morsberger Property



Publication Date: 4/16/2014

Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

0 75 150 300 450 600 Feet

1 inch = 300 feet

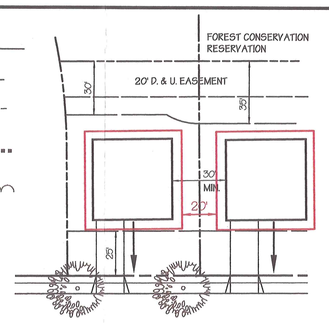
2014-0234-SPHXA

LEGEND

SOILS LINE
FOREST BUFFER — FBE
WETLANDS
STREAM
100 YR. FLOODPLAIN — FP — FP
TRACT BOUNDARY
PROP. LOT LINE
PROP. RIGHT-OF-WAY
BUILDING SETBACK LINE
SWM WATER QUALITY FACILITY W/ SWM ACCESS EASEMENT (TYP.)

PROPERTY LINE
EXISTING 2' CONTOUR — 502 —
EXISTING ZONING LINE
EXISTING TREELINE
FRONT ORIENTATION ARROWS
PROP. MAJOR DECIDUOUS TREE
PROP. SHRUB (NON-WOODY)
PROP. MINOR DECIDUOUS TREE
PROP. EVERGREEN TREE
REAR YARD OPEN PROJECTIONS
FIRE HYDRANT

DESIGN AND DRAWING BASED ON MARYLAND COORDINATE SYSTEM HORIZONTAL-NAD 83/91 VERTICAL-NAVD 88



TYPICAL LOT PLAN
SCALE: 1" = 40'

BUILDING SETBACKS

SINGLE FAMILY DETACHED D.R. 2 ZONE	(FEET)
FROM FRONT BUILDING FACE TO: PUBLIC STREET RIGHT-OF-WAY OR PROPERTY LINE ARTERIAL OR COLLECTOR	25
FROM SIDE BUILDING FACE TO: SIDE BUILDING FACE	30
PUBLIC STREET R/W	25
PAVING OF PRIVATE ROAD	30
TRACT BOUNDARY	25
FROM REAR BUILDING FACE TO: REAR PROPERTY LINE	30
PUBLIC STREET R/W	30

"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."

NOTE: BUILDINGS THAT HAVE SIDE ELEVATIONS THAT FACE ONTO A PUBLIC RIGHT-OF-WAY (LOTS 1, 12, 17, 23, 32, 33, 35, 36, 37 & 42) SHALL NOT BE LEFT AS BLANK WALLS AND SHALL BE ARTICULATED WITH ARCHITECTURAL FEATURES SUCH AS PORCHES, WINDOWS, SHUTTERS, DOORS, ETC..

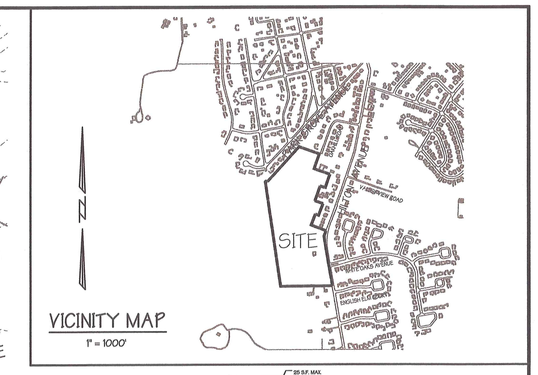
1. A STORMWATER MANAGEMENT VARIANCE WAS GRANTED BY D.E.P.R.M. ON OCTOBER 24, 2006 FOR THE IMPERVIOUS AREA OF 0.06 ACRES ON THE PROPOSED TEE TURNAROUND AT THE END OF DASHILL ROAD, WITH A FEE IN LIEU TO BE PAID.
2. ON OCTOBER 17, 2007 A REVISED ALTERNATIVES ANALYSIS WAS APPROVED BY BALTIMORE COUNTY D.E.P.R.M. FOR THE SEWER ALIGNMENT, TEE-TURNAROUND, ACCESS DRIVEWAY AND DRAINAGE& UTILITY EASEMENT IN THE FOREST BUFFER. CONDITIONS CONTAINED IN THE ALTERNATIVES ANALYSIS APPROVAL LETTER WERE REQUIRED TO REDUCE WATER QUALITY IMPACTS.
3. THE REVISED ALTERNATIVES ANALYSIS AND VARIANCE WAS APPROVED TO PERMIT IMPACTS TOTALING 8,410 S.F. OF FOREST BUFFER WHICH INCLUDES 2,100 S.F. OF FLOODPLAIN AND 2,250 S.F. OF NON-TIDAL WETLAND. MITIGATION FOR THE PROPOSED IMPACTS INCLUDES BOTH ONSITE FOREST BUFFER PLANTINGS AND 4,500 S.F. OF OFFSITE WETLAND CREATION.
4. PERMISSION IS GRANTED BY D.E.P.R.M. TO PURCHASE 1.2 ACRES OF CREDIT IN A D.E.P.R.M. APPROVED FOREST CONSERVATION BANK TO COMPLY WITH THE FOREST CONSERVATION REGULATIONS.

DEDICATION TABLE

TYPE OF CONVEYANCE	PLAT 1 NO.	PLAT 1 TOTAL AREA	PLAT 2 NO.	PLAT 2 TOTAL AREA	PLATS 1 & 2 NO.	PLATS 1 & 2 TOTAL AREA
DRAINAGE AND UTILITY EASEMENT	5	1.1251	5	2.7066	10	3.8318
FOREST BUFFER EASEMENT & FLOODPLAIN RESERVATION	-	-	1	3.0667	1	3.0667
FOREST BUFFER EASEMENT	-	-	3	0.0462	3	0.0462
FOREST BUFFER & FOREST CONSERVATION EASEMENT	-	-	5	5.2203	5	5.2203
FOREST CONSERVATION EASEMENT	1	0.3951	6	1.6929	7	2.0880
HIGHWAY WIDENING	3	0.7581	1	0.0834	4	0.8215
HIGHWAY RIGHT-OF-WAY	3	2.0529	-	-	3	2.0529
STORMWATER MANAGEMENT - DRYWALL EASEMENT	3	0.0109	-	-	3	0.0118
STORMWATER MANAGEMENT RESERVATION	2	1.5812	1	0.8394	3	2.4206

SITE DATA

ZONE	ACRES	UNITS ALLOWED	DENSITY UNITS	UNITS PROPOSED
DR-2	29.1436 AC±	58	N/A	43
	AC±			
	AC±			
	AC±			
TOTAL	29.1436 AC±	58		43



TYPICAL COMMUNITY SIGN DETAIL
SCALE: NTS

CERTIFICATION AS TO DELINQUENT ACCOUNTS

This certification is submitted in connection with the development known as Morsberger Properties and is given in accordance with the provisions of Section 22-56(c) of the Baltimore County Code, 1978, as amended.

I, Stephen W. Whalen, Jr. (P.E.), 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.

I HEREBY CERTIFY, that on this 17th day of June 2014, before me, the subscriber, a Notary Public in and for the County and State aforesaid, personally appeared Stephen W. Whalen, Jr. and made oath in due form of law that the matters and facts herein above set forth are true.

My Commission Expires: 7-31-16

NOTE: If applicant is a corporation, this certification must be completed by an authorized officer and if applicant is a partnership or joint venture, it must be completed by a general partner or venturer or an officer thereof.

LANDSCAPING CALCULATIONS

REQUIRED PLANTING UNITS

ADJACENT ROADS	@1 P.U. / 40 L.F.			
	1000	L.F. / 40	= 26.7	P.U.
INTERIOR ROADS	@1 P.U. / 20 L.F.			
	2351	L.F. / 20	= 117.5	P.U.
SCREENING	@1 P.U. / 15 L.F.			
SWM / ADJ. RESIDENT. & R/W	1374	L.F. / 15	= 91.6	P.U.
SIDE YD, REAR YD / PUBLIC R/W	1000	L.F. / 15	= 66.7	P.U.
NEW RESIDENT. / OLD RESIDENTIAL	580	L.F. / 15	= 38.7	P.U.
LOCAL OPEN SPACE	@1 P.U. / 1500 S.F.			
	10000 S.F. / 1500		= 6.7	P.U.
	TOTAL P.U. REQUIRED		= 347.9	P.U.

PLANTING UNITS PROVIDED		EXISTING	NEW		
MAJOR DECIDUOUS	@ 1:1	86	136	= 223	P.U.
MINOR DECIDUOUS	@ 2:1	1	65	= 32.5	P.U.
EVERGREEN	@ 2:1		114	= 57	P.U.
SHRUB	@ 5:1		177	= 35.4	P.U.
	TOTAL P.U. PROVIDED			= 347.9	P.U.

STORMWATER MANAGEMENT DATA FACILITY #1

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)		
Parameter	Volume or Size	
Area (Acres)	11.22 Ac.+/-	
% Impervious	28.5 %	
WQv (Water Quality) Required	9,831 cu/ft	0.226 ac/ft
Rev (Recharge) Volume Required	3,243 cu/ft	0.0745 ac/ft
Cpv (Channel Protection) Required	26,615 cu/ft	0.611 ac/ft

STORMWATER MANAGEMENT DATA FACILITY #2

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)		
Parameter	Volume or Size	
Area (Acres)	2.76 Ac.+/-	
% Impervious	34.6 %	
WQv (Water Quality) Required	2,936 cu/ft	0.0674 ac/ft
Rev (Recharge) Volume Required	470 cu/ft	0.0108 ac/ft
Cpv (Channel Protection) Required	7,144 cu/ft	0.164 ac/ft

STORMWATER MANAGEMENT DATA FACILITY #3

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)		
Parameter	Volume or Size	
Area (Acres)	4.46 Ac.+/-	
% Impervious	23.2 %	
WQv (Water Quality) Required	3,288 cu/ft	0.0755 ac/ft
Rev (Recharge) Volume Required	1,078 cu/ft	0.025 ac/ft
Cpv (Channel Protection) Required	9,801 cu/ft	0.225 ac/ft

REFER TO THE 2000 MARYLAND STORMWATER DESIGN MANUAL FOR SWM SIZING AND CREDIT COMPUTATIONS, SECTION 3-4, pg. 3-32-3-40 AND SECTION 5-5, pg. 5-14

PERMITS & DEVELOPMENT MANAGEMENT NOTES:

1. THIS PROPERTY AS SHOWN ON THIS DEVELOPMENT 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 HEREON HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED FOR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
2. BUILDING ENVELOPES SHOWN HEREON ARE THE LOCATIONS PERMITTED FOR PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO THE YARD MAY BE CONSTRUCTED OUTSIDE THE DELINEATED ENVELOPES, BUT SHALL COMPLY WITH SECTION 400 AND 301 OF THE B.C.Z.R. (SUBJECT TO ANY COVENANTS AND BUILDING PERMITS.) THE BUILDING FOOTPRINTS AS SHOWN ARE CONCEPTUAL AND MAY BE CHANGED.
3. DIRECTOR OF PDM NOTE: - THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS, AND THAT IT COMPLIES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR FOR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLINGS IS CONSTRUCTED AND TRANSFERED FOR THE PURPOSE OF OCCUPANCY.
4. THE PROPOSED ROADS FOR THIS DEVELOPMENT WILL BE PUBLIC AND CONVEYED TO BALTIMORE COUNTY AT NO COST.
5. THE BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
6. THE DISPOSITION OF A PORTION OF THE UTILITY EASEMENT, AS DESCRIBED IN DEED W.P.C. 5917/366, TO BE DETERMINED BY BALTIMORE COUNTY. THE PORTION OF THE EASEMENT, WHICH AREA IS DEPICTED WITH LEADER LINES ON THIS PLAN, AND WHICH DOES NOT CONTAIN ANY EXISTING UTILITY, IS SUBJECT TO ABANDONMENT AT THE DISCRETION OF BALTIMORE COUNTY AND THE PROPERTY OWNER.

ZONING NOTES:

1. TYPICAL BUILDINGS SHOWN ON THESE SINGLE FAMILY LOTS DICTATE A SPECIFIC ORIENTATION THAT COMPLIES WITH THE B.C.Z.R., SHOULD THE ORIENTATION CHANGE, THE SETBACKS REQUIRED BY SECTION 1B01.2.C.1a SHALL GOVERN AS FOLLOWS: SEE DR-2 SETBACK CHART.
2. THE MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED 50 FEET IN ACCORDANCE WITH SECTION 1B01.2.C.1 OF THE B.C.Z.R..
3. THIS SITE IS NOT SUBJECT TO ANY RTA.
4. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL EXISTING STRUCTURES PAVEMENTS, TRASH AND DEBRIS, IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.
5. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOODPLAIN AREAS, AREAS OF HYDRIC SOILS AND OR ENVIRONMENTAL EASEMENTS OR UTILITY EASEMENTS.
6. NO PRIVATE FENCES SHALL BE PLACED CLOSER THAN TEN FROM RIGHTS OF WAYS.
7. ZONING HISTORY: THIS PARCEL WAS PART OF 2004 CZMP ISSUE 2-053, THE PARCEL REMAINS IN A DR- 2 ZONE.
8. ALL DRIVEWAYS WILL COMPLY WITH SECTION 409.4 OF THE B.C.Z.R.
9. THIS SITE IS NOT LOCATED IN ANY DEFICIENT AREAS ON THE ADOPTED BASIC SERVICES MAPS PURSUANT TO SECTION 4A02 OF THE B.C.Z.R.
10. THE EXISTING SINGLE FAMILY DWELLING WILL BE REMOVED.
11. THE EXACT LOCATION OF DRIVEWAYS OR PARKING PAD ENTRANCES IS TO BE DETERMINED AT THE TIME OF BUILDING PERMIT.
12. THIS DEVELOPMENT IS SUBJECT TO THE RESIDENTIAL PERFORMANCE STANDARDS OF SECTION 260 OF THE B.C.Z.R.
13. THE HATCHED AREAS AS SHOWN ESTABLISH AN AREA FOR REAR YARD OPEN PROJECTIONS PERMITTED BY RIGHT PURSUANT TO THE REQUIREMENTS OF THE B.C.Z.R. THE OFFICE OF ZONING REVIEW WILL NOT SUPPORT VARIANCES TO OPEN PROJECTIONS INTO THE REAR YARD FOR THESE LOTS.

VARIANCE REQUESTS

-FROM BALTIMORE COUNTY ZONING REGULATIONS, SECTION 1B01.2C.1.b

(1) SIDE BLDS. FACE/SIDE BLDS. FACE, 20' IN LIEU OF 30' REQUIRED ON LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 22, 23, 25, 26, 27, 28, 29, 33, 35, 36, 43.

(2) SIDE BLDS. FACE TO PUBLIC R/W , 20' IN LIEU OF 25' REQUIRED ON LOTS 12, 17, 33, 35, 43.

(3) SIDE BLDS. FACE TO TRACT BOUNDARY, 15' IN LIEU OF 25' REQUIRED ON LOT 24.

(4) FRONT BLDS. FACE TO PUBLIC R/W , 20' IN LIEU OF 25' REQUIRED ON LOTS 33, 43.

(5) REAR BLDS. FACE TO REAR PROP. LINE, 22' IN LIEU OF 30' REQUIRED ON LOT 20 AND 24' IN LIEU OF 30' REQUIRED ON LOT 21

-FROM BALTIMORE COUNTY CODE ARTICLE 33, TITLE 3, PROTECTION OF WATER QUALITY, STREAMS, WETLANDS AND FLOODPLAINS

(6) REDUCTION OF THE 25-FOOT PRINCIPLE STRUCTURE FOREST BUFFER SETBACK FOR CONSTRUCTION OF A DWELLING TO: 22' ON LOT 20; 24' ON LOT 24; 32' ON LOT 28

REASONS FOR 1ST MATERIAL AMENDMENT TO THE SECOND REFINEMENT
DRC NUMBER: 062004B
1. BUILDING FOOTPRINTS ENLARGED ON ALL LOTS.
2. SETBACK VARIANCES REQUESTED ON LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 28, 29, 33, 35, 36 AND 43.
3. REVISED GRADING SHOWN ON LOTS 6, 7, 10, 11, 16, 17, 18, 19, 20, 21, 22, 25, 26, 30, 31, 33, 34, 35, 36 AND 43.
4. RETAINING WALLS ADDED ON LOTS 11, 20, 21, 30, 31 AND 35.
5. SWM WATER QUALITY DRY WELLS ADDED TO ALL LOTS EXCEPT 4, 5 AND 6.
6. BALTO. CO. SWM ACCESS EASEMENTS ADDED TO ALL LOTS.
7. SWM DATA REDEVELOPMENT ESD CHART ADDED.

STORMWATER MANAGEMENT DATA: REDEVELOPMENT ESD

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)		
Parameter	Volume or Size	
Area (Acres)	1.01 Ac.+/-	
% Impervious	100 %	
WQv (Water Quality) Required	3,465 cu/ft	0.080 ac/ft

OPEN SPACE NOTES

* A LOCAL OPEN SPACE WAIVER IS REQUESTED TO PROVIDE 0 S.F. OF ACTIVE OPEN SPACE AND 10,000 S.F. OF PASSIVE OPEN SPACE WITH A FEE IN LIEU TO BE PAID.

1. OPEN SPACE REQUIRED - 27,950 S.F. ACTIVE AND 15,050 S.F. PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION III.D.5 LATEST EDITION.
2. OPEN SPACE PROVIDED - 0 S.F.ACTIVE AND 10,000 S.F. PASSIVE.
3. ALL LOCAL OPEN SPACE SHALL BE IN COMPLIANCE WITH THE LOCAL OPEN SPACE MANUAL.
4. TEMPORARY OPEN SPACE BOUNDARY MARKERS, TREE PORTECTION DEVICES AND FOUR FOOT HIGH SNOW FENCING OR APPROVED EQUIVALENT SHALL BE INSTALLED PRIOR TO ANY CLEARING OR GRADING.
5. WITHIN THE AREA SHOWN AS OPEN SPACE, DISTURBANCE BEYOND THAT WHICH IS SHOWN ON THE DEVELOPMENT PLAN SHALL NOT BE ALLOWED WITHOUT PRIOR APPROVAL FROM THE DEPARTMENT OF RECREATION AND PARKS.
6. NO UTILITIES, WHETHER PUBLIC OR PRIVATE, INCLUDING, BUT NOT LIMITED TO, TELEPHONE, CABLE, TELEVISION, GAS AND ELECTRIC, WATER, SEWER, AND STORM DRAINS SHALL BE PLACED OR CONSTRUCTED ON OR WITHIN THE AREAS LABELED AS OPEN SPACE WITHOUT PRIOR WRITTEN CONSENT FROM THE BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS.
7. HOA OPEN SPACE SHALL BE OWNED AND MAINTAINED BY A HOMEOWNERS ASSOCIATION.

ANTICIPATED ACTIONS

1. ALTERNATIVES ANALYSIS TO PERMIT DISTURBANCE OF WETLANDS , FOREST BUFFER AND 100 YR. FLOODPLAIN FOR SANITARY SEWER CONSTRUCTION.
2. PUBLIC WORKS WAIVER OF SIDEWALKS ON SADDLE ROCK CT. ADJ. TO THE OPEN SPACE PARCEL.
3. PUBLIC WORKS WAIVER OF STANDARDS TO PERMIT 2:1 GRADED SLOPES IN LIEU OF 3:1 SLOPES FOR THE CONSTRUCTION OF SADDLE ROCK CT. IN THE AREA OF LOTS 24 & 25 TO PARK GROVE AVENUE.

REASONS FOR FIRST REFINEMENT
DRC NUMBER: 082007B, DATE: JANUARY 10, 2008
1. LOTS 30, 31 & 32 REVISED, LOT 33 RELOCATED, LOTS 37-42 REVISED.
2. BRIDLE CREEK CT. TURNAROUND AND R/W REVISED.
3. LOT 43 ADDED.
4. LOCAL OPEN SPACE REVISED - 32,000 S.F. REMOVED, FEE IN LIEU FOR 55,000 S.F..
5. LOT 24 REVISED, SADDLE ROCK CT. R/W REVISED.
6. GRADING, UTILITIES AND LANDSCAPING ASSOCIATED WITH THE ABOVE CHANGES REVISED.
7. DEPRM ALTERNATIVES ANALYSIS AND VARIANCE NOTES REVISED. FOREST BUFFER AND FOREST CONSERVATION AREA REVISED.
8. ROAD NAMES ADDED.
9. LOTS 30, 31 & 32 WATER CONNECTION NOTE ADDED.

ENVIRONMENTAL IMPACT REVIEW NOTES:

1. AN ENVIRONMENTAL EFFECTS REPORT AND HYDROGEOLOGICAL STUDY HAVE BEEN SUBMITTED TO BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FOR REVIEW.
2. THERE ARE NO KNOWN ARCHEOLOGICAL SITES OR ENDANGERED SPECIES ON THIS SITE.
3. THERE ARE NO EXISTING WELLS, SEPTICS OR UNDERGROUND STORAGE TANKS ON THIS SITE.
4. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
5. ANY FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT SHOWN HEREON ARE SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
6. A 35' SETBACK WILL BE APPLIED FROM THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION AREAS.
4. PUBLIC WORKS WAIVER TO PERMIT A 24 FOOT WIDE PAVING SECTION ON SADDLE ROCK CT. WITH A 40' R/W AROUND THE CIRCLE PORTION OF THE COURT & A 24' WIDE PAVING SECTION ON A 44' R/W ON BRIDLE CREEK CT.. WAIVER OF SIDEWALKS ON BOTH SIDES OF SADDLE ROCK CT., ADJACENT TO 1701 PARK GROVE AVE. & 1625 PARK GROVE AVE.
5. A LOCAL OPEN SPACE WAIVER IS REQUESTED TO PROVIDE 0 S.F. OF ACTIVE OPEN SPACE AND 10,000 S.F. OF PASSIVE OPEN SPACE WITH A FEE IN LIEU TO BE PAID.

DEVELOPMENT PLAN ORDER - CASE NO. I - 528

Pursuant to the zoning and development regulations of Baltimore County and Article 32, Section 4 of the B.C.C., appropriate posting and notice having been provided, the redlined/greenlined development plan (Developer's Exhibit 7) shall be approved consistent with the comments contained herein.

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County, this 17th day of April, 2007, that the aforementioned Public Works Waivers, be and are hereby GRANTED; and

IT IS FURTHER ORDERED, that the redlined/greenlined Development Plan for MORSBERGER PROPERTY, identified herein as Developer's Exhibit 7, be and is hereby APPROVED, subject to the following conditions:

1) The Developer/Petitioner is permitted to proceed; however, the Developer/Petitioner is hereby made aware that doing so shall be at their own risk until the thirty (30) day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief herein could be rescinded.

2) Prior to the issuance of any use and occupancy permits, Morsberger Development, Inc., in accordance with its Agreement, dated August 5, 2006, (Developer's Exhibits 4A and 4B) shall at its own cost and expense engage a contractor, selected by Baltimore County, Maryland, to install five (5) traffic calming devices as displayed on County Exhibit 1. The original exhibit will be maintained in the Department of Permits and Development Management's case file, however, a reduced version is attached for convenience.

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

REASONS FOR SECOND REFINEMENT
DRC NUMBER: 072608A
DATE: JULY 26, 2011
1. BOUNDARY SHIFTED
2. LOT LINES SHIFTED
3. GRADING, UTILITIES AND LANDSCAPING REVISED.
4 FOREST CONSERVATION AREAS REVISED.
5. GENERAL NOTES REVISED.

Richard Schmidt, III
Hearing Officer/Zoning Commissioner for Baltimore County

PLAN TO ACCOMPANY HEARING OFFICER'S ORDER
DATE: 12/20/12
PROJECT MANAGER

GENERAL NOTES

1. SITE AREA - PARCEL 646 (LOTS 33-47 & P/O 69-74) - 10.3119 AC. +/-
   PARCEL 455 - 18.8317 AC.+/-, TOTAL - 29.1436 AC.+/-
2. EXISTING ZONING - DR-2
3. EXISTING USE - VACANT
4. PROPOSED USE - 43 SINGLE FAMILY LOTS
5. ELECTION DISTRICT - 1
6. COUNCILMANIC DISTRICT - 1
7. REGIONAL PLANNING DISTRICT - 324B
8. CENSUS TRACT - 400500
9. OWNER/DEVELOPER - MORSBERGER PROPERTIES LLC
   C/O WHALEN PROPERTIES
   2 WEST ROLLING CROSSROADS, SUITE 203
   CATONSVILLE, MARYLAND 21228
   PH.- 410-747-2900
10. TAX ACCT. NOS. - 0113751870, ~~0113752120, 0113752121~~, 2500009070 THRU ~~113752122, 0113752123, 0113752124, 0113752125, 0113752126 0113752127, 1800013415, 1800013413, 0113752129, 1800013412, 1800013410, 0113752131, 1800013409, 1800013416, 0113752133, 1800013407,1800013411, 0113752135, 1800013414~~ 2500009138
11. TAX MAP 100, GRID 24, PARCELS 455 & 646
12. DEED REFERENCES- 21008/509, 6134/594, 12784/222, 6134/600, 2903/56, 6134/604, 10606/111, 6134/606, 6134/602, 21008/509
13. RECORD PLAT REFERENCE- OAK RIDGE - BOOK 5 / 114, MORSBERGER PROPERTIES- JLE 79/229 & 79/230
14. UNITS PERMITTED
    DR-2 ZONE - 2 DWELLING UNITS / ACRE
    GROSS ACREAGE - 29.29 X 2 = 58 D.U.
    UNITS PROPOSED -43 SINGLE FAMILY LOTS
15. WATERSHED - PATAPSCO
16. SEWERSHED - 76
17. WATER SERV. AREA - CATONSVILLE 4TH ZONE
18. AVERAGE DAILY TRIPS -
    43 UNITS X 10 ADT/UNIT = 430 ADTS
19. ZONING MAP NO.- 100C3, 101A3
20. A 100 YEAR FLOODPLAIN EXISTS ON THIS PROPERTY.
21. A COMBINED HEARING IS REQUESTED PER BCZR SECTION 32-4-230. SEE CASE NO. 2014-224-SPHX

THIS PLAN IS SEALED AND CERTIFIED TO BE IN ACCORDANCE WITH THE HEARING OFFICERS' ORDER AND ALL AGENCY COMMENTS

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
4692 MILLENNIUM DRIVE
BELCAMP, MARYLAND 21017
(410) 297-2340

FIRST MATERIAL AMENDMENT OF THE SECOND REFINED
DEVELOPMENT PLAN
SCHEMATIC LANDSCAPE PLAN

MORSBERGER PROPERTIES

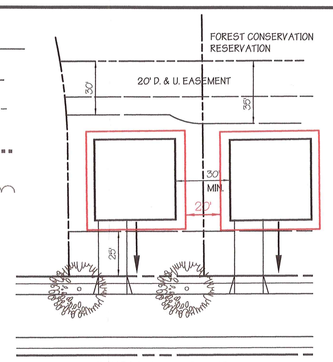
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50' DATE: MAY 10, 2006 REV.: JULY 30, 2007
PDM FILE NO. 01-528 REVISED: 2nd AMENDMENT; 11/23/2011
REDLINE REVISION: 6/6/2014

LEGEND

SOILS LINE
FOREST BUFFER — FBE
WETLANDS
STREAM
100 YR. FLOODPLAIN — FP
TRACT BOUNDARY
PROP. LOT LINE
PROP. RIGHT-OF-WAY
BUILDING SETBACK LINE
SWM DRYWELL W/ SWM ACCESS EASEMENT (TYP.)

PROPERTY LINE
EXISTING 2' CONTOUR — 502
EXISTING ZONING LINE
EXISTING TREELINE
FRONT ORIENTATION ARROWS
PROP. MAJOR DECIDUOUS TREE
PROP. SHRUB (NON-WOODY)
PROP. MINOR DECIDUOUS TREE
PROP. EVERGREEN TREE
REAR YARD OPEN PROJECTIONS
FIRE HYDRANT

DESIGN AND DRAWING BASED ON MARYLAND COORDINATE SYSTEM HORIZONTAL-NAD 83/91 VERTICAL-NAVD 88



TYPICAL LOT PLAN
SCALE: 1" = 40'

BUILDING SETBACKS

SINGLE FAMILY DETACHED D.R. 2 ZONE	(FEET)
FROM FRONT BUILDING FACE TO: PUBLIC STREET RIGHT-OF-WAY OR PROPERTY LINE ARTERIAL OR COLLECTOR	25
FROM SIDE BUILDING FACE TO: SIDE BUILDING FACE	30
PUBLIC STREET R/W	25
PAVING OF PRIVATE ROAD	30
TRACT BOUNDARY	25
FROM REAR BUILDING FACE TO: REAR PROPERTY LINE	30
PUBLIC STREET R/W	30

"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."

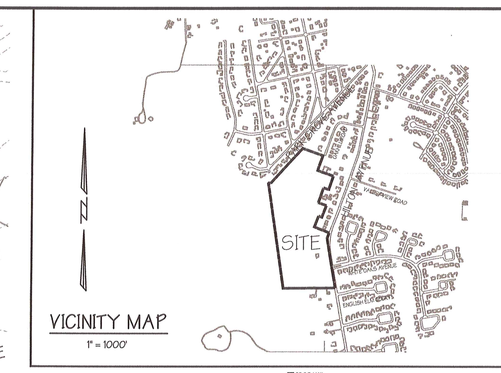
NOTE: BUILDINGS THAT HAVE SIDE ELEVATIONS THAT FACE ONTO A PUBLIC RIGHT-OF-WAY (LOTS 1, 12, 17, 25, 32, 33, 35, 36, 37 & 42) SHALL NOT BE LEFT AS BLANK WALLS AND SHALL BE ARTICULATED WITH ACHITECTURAL FEATURES SUCH AS PORCHES, WINDOWS, SHUTTERS, DOORS, ETC..

1. A STORMWATER MANAGEMENT VARIANCE WAS GRANTED BY D.E.P.R.M. ON OCTOBER 24, 2006 FOR THE IMPERVIOUS AREA OF 0.06 ACRES ON THE PROPOSED TEE TURNAROUND AT THE END OF OAKHILL ROAD, WITH A FEE IN LIEU TO BE PAID.
2. ON OCTOBER 17, 2007 A REVISED ALTERNATIVES ANALYSIS WAS APPROVED BY BALTIMORE COUNTY D.E.P.R.M. FOR THE SEWER ALIGNMENT, TEE-TURNAROUND, ACCESS DRIVEWAY AND DRAINAGE& UTILITY EASEMENT IN THE FOREST BUFFER. CONDITIONS CONTAINED IN THE ALTERNATIVES ANALYSIS APPROVAL LETTER WERE REQUIRED TO REDUCE WATER QUALITY IMPACTS.
3. THE REVISED ALTERNATIVES ANALYSIS AND VARIANCE WAS APPROVED TO PERMIT IMPACTS TOTALING 8,450 S.F. OF FOREST BUFFER WHICH INCLUDES 2,100 S.F. OF FLOODPLAIN AND 2,250 S.F. OF NON-TIDAL WETLAND. MITIGATION FOR THE PROPOSED IMPACTS INCLUDES BOTH ONSITE FOREST BUFFER PLANTINGS AND 4,500 S.F. OF OFFSITE WETLAND CREATION.
4. PERMISSION IS GRANTED BY D.E.P.R.M. TO PURCHASE 1.2 ACRES OF CREDIT IN A D.E.P.R.M. APPROVED FOREST CONSERVATION BANK TO COMPLY WITH THE FOREST CONSERVATION REGULATIONS.

DEDICATION TABLE	PLAT 1		PLAT 2		PLATS 1 & 2	
TYPE OF CONVEYANCE	NO.	TOTAL AREA	NO.	TOTAL AREA	NO.	TOTAL AREA
DRAINAGE AND UTILITY EASEMENT	5	1.1251	5	2.7068	10	3.8319
FOREST BUFFER EASEMENT & FLOODPLAIN RESERVATION	-	-	1	3.0867	1	3.0867
FOREST BUFFER EASEMENT	-	-	3	0.0462	3	0.0462
FOREST BUFFER & FOREST CONSERVATION EASEMENT	-	-	5	5.2203	5	5.2203
FOREST CONSERVATION EASEMENT	1	0.3951	6	1.6929	7	2.0880
HIGHWAY WIDENING	3	0.7321	1	0.0834	4	0.8215
HIGHWAY RIGHT-OF-WAY	3	2.0629	-	-	3	2.0629
STORMWATER MANAGEMENT DRYWALL EASEMENT	3	0.0109	-	-	3	0.0119
STORMWATER MANAGEMENT RESERVATION	2	1.5812	1	0.8394	3	2.4206

SITE DATA

ZONE	ACRES	UNITS ALLOWED	DENSITY UNITS	UNITS PROPOSED
DR-2	29.1436 AC.±	58	N/A	43
	AC.±			
	AC.±			
	AC.±			
	AC.±			
TOTAL	29.1436 AC.±	58		43



VICINITY MAP
1" = 1000'

TYPICAL COMMUNITY SIGN DETAIL
SCALE: NTS

CERTIFICATION AS TO DELINQUENT ACCOUNTS

This certification is submitted in connection with the development known as Morsberger Properties and is given in accordance with the provisions of Section 22-55(c) of the Baltimore County Code, 1978, as amended.

I, Stephen W. Whaley, Jr., its Attorney-in-fact, certify under oath that there are no delinquent accounts for 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, that on this 12th day of January, 2012, before me, the subscriber, a Notary Public in and for the Baltimore County and State aforesaid, personally appeared Stephen W. Whaley, Jr. and made oath in due form of law that the matters and facts herein above set forth are true.

My Commission Expires: 4-14-2014

NOTE:
If applicant is a corporation, this certification must be completed by an authorized officer and if applicant is a partnership or joint venture, it must be completed by a general partner or venturer or an officer thereof.

LANDSCAPING CALCULATIONS

REQUIRED PLANTING UNITS

ADJACENT ROADS	@1 P.U. / 40 L.F. 1000	L.F. / 40	= 26.7	P.U.
INTERIOR ROADS	@1 P.U. / 20 L.F. 2551	L.F. / 20	= 117.5	P.U.
SCREENING	@1 P.U. / 15 L.F.			
SWM / AGU. RESIDENT. & R/W	1374	L.F. / 15	= 91.6	P.U.
SIDE YD. REAR YD / PUBLIC R/W	1000	L.F. / 15	= 66.7	P.U.
NEW RESIDENT. / OLD RESIDENTIAL	580	L.F. / 15	= 38.7	P.U.
LOCAL OPEN SPACE	@1 P.U. / 1500 S.F. 10000 S.F. / 1500		= 6.7	P.U.
	TOTAL P.U. REQUIRED		= 347.9	P.U.

PLANTING UNITS PROVIDED		EXISTING	NEW		
MAJOR DECIDUOUS	@ 1:1	86	136	= 223	P.U.
MINOR DECIDUOUS	@ 2:1	1	65	= 32.5	P.U.
EVERGREEN	@ 2:1		114	= 57	P.U.
SHRUB	@ 5:1		177	= 35.4	P.U.
	TOTAL P.U. PROVIDED			= 347.9	P.U.

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
215 SCHILLING CIRCLE, SUITE 114
HUNT VALLEY, MARYLAND 21031
(410) 785-6640

STORMWATER MANAGEMENT DATA FACILITY #1

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)	Parameter	Volume or Size
Area (Acres)		11.22 Ac.+/-
% Impervious		28.5 %
WQv (Water Quality) Required	9,831 cu/ft	0.226 ac/ft
Rev (Recharge) Volume Required	3,243 cu/ft	0.0745 ac/ft
Cpv (Channel Protection) Required	26,615 cu/ft	0.611 ac/ft

STORMWATER MANAGEMENT DATA FACILITY #2

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)	Parameter	Volume or Size
Area (Acres)		2.76 Ac.+/-
% Impervious		34.6 %
WQv (Water Quality) Required	2,936 cu/ft	0.0674 ac/ft
Rev (Recharge) Volume Required	470 cu/ft	0.0108 ac/ft
Cpv (Channel Protection) Required	7,144 cu/ft	0.164 ac/ft

STORMWATER MANAGEMENT DATA FACILITY #3

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)	Parameter	Volume or Size
Area (Acres)		4.46 Ac.+/-
% Impervious		23.2 %
WQv (Water Quality) Required	3,288 cu/ft	0.0755 ac/ft
Rev (Recharge) Volume Required	1,078 cu/ft	0.025 ac/ft
Cpv (Channel Protection) Required	9,801 cu/ft	0.225 ac/ft

REFER TO THE 2000 MARYLAND STORMWATER DESIGN MANUAL FOR BMP SIZING AND CREDIT COMPUTATIONS, SECTION 3-4, pg 3-32-3-46 AND SECTION 5.5, pg 5-14

PERMITS & DEVELOPMENT MANAGEMENT NOTES:

1. THIS PROPERTY AS SHOWN ON THIS DEVELOPMENT 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 HEREON HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED FOR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
2. BUILDING ENVELOPES SHOWN HEREON ARE THE LOCATIONS PERMITTED FOR PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO THE YARD MAY BE CONSTRUCTED OUTSIDE THE DELINEATED ENVELOPES, BUT SHALL COMPLY WITH SECTION 400 AND 301 OF THE B.C.Z.R. (SUBJECT TO ANY COVENANTS AND BUILDING PERMITS.) THE BUILDING FOOTPRINTS AS SHOWN ARE CONCEPTUAL AND MAY BE CHANGED.
3. DIRECTOR OF PDM NOTE - THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS, AND THAT IT COMPLIES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR FOR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLINGS IS CONSTRUCTED AND TRANSFERED FOR THE PURPOSE OF OCCUPANCY.
4. THE PROPOSED ROADS FOR THIS DEVELOPMENT WILL BE PUBLIC AND CONVEYED TO BALTIMORE COUNTY AT NO COST.
5. THE BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
6. THE DISPOSITION OF A PORTION OF THE UTILITY EASEMENT, AS DESCRIBED IN DEED W.J.C. 5917/366, TO BE DETERMINED BY BALTIMORE COUNTY. THE PORTION OF THE EASEMENT, WHICH AREA IS DEPICTED WITH LEADER LINES ON THIS PLAN, AND WHICH DOES NOT CONTAIN ANY EXISTING UTILITY, IS SUBJECT TO ABANDONMENT AT THE DISCRETION OF BALTIMORE COUNTY AND THE PROPERTY OWNER.

ZONING NOTES:

1. TYPICAL BUILDINGS SHOWN ON THESE SINGLE FAMILY LOTS DICTATE A SPECIFIC ORIENTATION THAT COMPLIES WITH THE B.C.Z.R., SHOULD THE ORIENTATION CHANGE, THE SETBACKS REQUIRED BY SECTION 1B01.2.C.1b SHALL GOVERN AS FOLLOWS: SEE DR- 2 SETBACK CHART.
2. THE MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED 50 FEET IN ACCORDANCE WITH SECTION 1B01.2.C.1 OF THE B.C.Z.R..
3. THIS SITE IS NOT SUBJECT TO ANY RTA.
4. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL EXISTING STRUCTURES PAVEMENTS, TRASH AND DEBRIS, IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.
5. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOODPLAIN AREAS, AREAS OF HYDRIC SOILS AND OR ENVIRONMENTAL EASEMENTS OR UTILITY EASEMENTS.
6. NO PRIVATE FENCES SHALL BE PLACED CLOSER THAN 10' FROM RIGHTS OF WAYS.
7. ZONING HISTORY: THIS PARCEL WAS PART OF 2004 CZMP ISSUE 2-033. THE PARCEL REMAINS IN A DR- 2 ZONE.
8. ALL DRIVEWAYS WILL COMPLY WITH SECTION 409.4 OF THE B.C.Z.R.
9. THIS SITE IS NOT LOCATED IN ANY DEFICIENT AREAS ON THE ADOPTED BASIC SERVICES MAPS PURSUANT TO SECTION 4 A02 OF THE B.C.Z.R.
10. THE EXISTING SINGLE FAMILY DWELLING WILL BE REMOVED.
11. THE EXACT LOCATION OF DRIVEWAYS OR PARKING PAD ENTRANCES IS TO BE DETERMINED AT THE TIME OF BUILDING PERMIT.
12. THIS DEVELOPMENT IS SUBJECT TO THE RESIDENTIAL PERFORMANCE STANDARDS OF SECTION 260 OF THE B.C.Z.R.
13. THE HATCHED AREAS AS SHOWN ESTABLISH AN AREA FOR REAR YARD OPEN PROJECTIONS PERMITTED BY RIGHT PURSUANT TO THE REQUIREMENTS OF THE B.C.Z.R. THE OFFICE OF ZONING REVIEW WILL NOT SUPPORT VARIANCES TO OPEN PROJECTIONS INTO THE REAR YARD FOR THESE LOTS.

VARIANCES REQUESTS

-FROM BALTIMORE COUNTY ZONING REGULATIONS, SECTION 1B01.2C.1b

1. SIDE BLDS. FACE/SIDE BLDS. FACE, 20' IN LIEU OF 30' REQUIRED ON LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 22, 23, 25, 26, 27, 28, 29, 33, 35, 36, 43.
2. SIDE BLDS. FACE TO PUBLIC R/W , 20' IN LIEU OF 25' REQUIRED ON LOTS 12, 17, 33, 35, 43.
3. SIDE BLDS. FACE TO TRACT BOUNDARY, 15' IN LIEU OF 25' REQUIRED ON LOT 24.
4. FRONT BLDS. FACE TO PUBLIC R/W , 20' IN LIEU OF 25' REQUIRED ON LOTS 33, 43.
5. REAR BLDS. FACE TO REAR PROP. LINE, 22' IN LIEU OF 30' REQUIRED ON LOT 20 AND 24' IN LIEU OF 30' REQUIRED ON LOT 24

-FROM BALTIMORE COUNTY CODE ARTICLE 33, TITLE 3, PROTECTION OF WATER QUALITY, STREAMS, WETLANDS AND FLOODPLAINS

6. REDUCTION OF THE 35-FOOT PRINCIPLE STRUCTURE FOREST BUFFER SETBACK FOR CONSTRUCTION OF A DWELLING TO: 22' ON LOT 20; 24' ON LOT 24; 32' ON LOT 28

REASONS FOR THIRD AMENDMENT
1. BUILDING FOOTPRINTS ENLARGED ON ALL LOTS.
2. SETBACK VARIANCES REQUESTED ON LOTS 12, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,13, 14, 15, 16, 17, 18, 19, 20, 24, 26, 29, 33, 35, 36 AND 43.
3. REVISED GRADING SHOWN ON LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, 21, 22, 25,26,30,31,33,34,35,36 AND 43.
4. RETAINING WALLS ADDED ON LOTS 11, 20, 21, 30, 31 AND 35.
5. SWM WATER QUALITY DRY WELLS ADDED TO ALL LOTS EXCEPT 4, 5 AND 6.
6. BALTO. CO. SWM ACCESS EASEMENTS ADDED TO ALL LOTS.
7. SWM DATA REDEVELOPMENT ESD CHART ADDED.

STORMWATER MANAGEMENT DATA: REDEVELOPMENT ESD

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)	Volume or Size	
Area (Acres)	1.01 Ac.+/-	
% Impervious	100 %	
WQv (Water Quality) Required	3,485 cu/ft	0.080 ac/ft

OPEN SPACE NOTES

* A LOCAL OPEN SPACE WAIVER IS REQUESTED TO PROVIDE 0 S.F. OF ACTIVE OPEN SPACE AND 10,000 S.F. OF PASSIVE OPEN SPACE WITH A FEE IN LIEU TO BE PAID.

1. OPEN SPACE REQUIRED - 27,950 S.F. ACTIVE AND 15,050 S.F. PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION 1B.D.5 LATEST EDITION.
2. OPEN SPACE PROVIDED - 0 S.F.ACTIVE AND 10,000 S.F. PASSIVE.
3. ALL LOCAL OPEN SPACE SHALL BE IN COMPLIANCE WITH THE LOCAL OPEN SPACE MANUAL.
4. TEMPORARY OPEN SPACE BOUNDARY MARKERS, TREE PORTECTION DEVICES AND FOUR FOOT HIGH SNOW FENCING OR APPROVED EQUIVALENT SHALL BE INSTALLED PRIOR TO ANY CLEARING OR GRADING.
5. WITHIN THE AREA SHOWN AS OPEN SPACE, DISTURBANCE BEYOND THAT WHICH IS SHOWN ON THE DEVELOPMENT PLAN SHALL NOT BE ALLOWED WITHOUT PRIOR APPROVAL FROM THE DEPARTMENT OF RECREATION AND PARKS.
6. NO UTILITIES, WHETHER PUBLIC OR PRIVATE, INCLUDING, BUT NOT LIMITED TO, TELEPHONE, CABLE, TELEVISION, GAS AND ELECTRIC, WATER, SEWER, AND STORM DRAINS SHALL BE PLACED OR CONSTRUCTED ON OR WITHIN THE AREAS LABELED AS OPEN SPACE WITHOUT PRIOR WRITTEN CONSENT FROM THE BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS.
7. HOA OPEN SPACE SHALL BE OWNED AND MAINTAINED BY A HOMEOWNERS ASSOCIATION.

ANTICIPATED ACTIONS

1. ALTERNATIVES ANALYSIS TO PERMIT DISTURBANCE OF WETLANDS , FOREST BUFFER AND 100 YR. FLOODPLAIN FOR 8" SANITARY SEWER CONSTRUCTION.
2. PUBLIC WORKS WAIVER OF SIDEWALKS ON SADDLE ROCK CT., ADJ. TO THE OPEN SPACE PARCEL
3. PUBLIC WORKS WAIVER OF STANDARDS TO PERMIT 21 GRADED SLOPES IN LIEU OF 3:1 SLOPES FOR THE CONSTRUCTION OF SADDLE ROCK CT. IN THE AREA OF LOTS 24 & 25 TO PARK GROVE AVENUE.

REASONS FOR FIRST AMENDMENT
DRC NUMBER: 080009B, DATE: JANUARY 10, 2008
1. LOTS 30, 31 & 32 REVISED, LOT 33 RELOCATED, LOTS 37-42 REVISED.
2. BRIDLE CREEK CT. TURNAROUND AND R/W REVISED.
3. LOT 43 ADDED.
4. LOCAL OPEN SPACE REVISED - 32,000 S.F. REMOVED, FEE IN LIEU FOR 33,000 S.F..
5. LOT 24 REVISED, SADDLE ROCK CT. R/W REVISED.
6. GRADING, UTILITIES AND LANDSCAPING ASSOCIATED WITH THE ABOVE CHANGES REVISED.
7. DEPRM ALTERNATIVES ANALYSIS AND VARIANCE NOTES REVISED, FOREST BUFFER AND FOREST CONSERVATION AREA REVISED.
8. ROAD NAMES ADDED.
9. LOTS 30, 31 & 32 WATER CONNECTION NOTE ADDED.

ENVIRONMENTAL IMPACT REVIEW NOTES:

1. AN ENVIRONMENTAL EFFECTS REPORT AND HYDROGEOLOGICAL STUDY HAVE BEEN SUBMITTED TO BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FOR REVIEW.
2. THERE ARE NO KNOWN ARCHEOLOGICAL SITES OR ENDANGERED SPECIES ON THIS SITE.
3. THERE ARE NO EXISTING WELLS, SEPTICS OR UNDERGROUND STORAGE TANKS ON THIS SITE.
4. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
5. ANY FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT SHOWN HEREON ARE SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
6. A 35' SETBACK WILL BE APPLIED FROM THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION AREAS.
4. PUBLIC WORKS WAIVER TO PERMIT A 24 FOOT WIDE PAVING SECTION ON SADDLE ROCK CT. WITH A 40' R/W AROUND THE CIRCULAR PORTION OF THE COURT & A 24' WIDE PAVING SECTION ON A 44' R/W ON BRIDLE CREEK CT. , WAIVER OF SIDEWALKS ON BOTH SIDES OF SADDLE ROCK CT. ADJACENT TO 1701 PARK GROVE AVE. & 1623 PARK GROVE AVE.
5. A LOCAL OPEN SPACE WAIVER IS REQUESTED TO PROVIDE 0 S.F. OF ACTIVE OPEN SPACE AND 10,000 S.F. OF PASSIVE OPEN SPACE WITH A FEE IN LIEU TO BE PAID.

DEVELOPMENT PLAN ORDER - CASE NO. I - 528

Pursuant to the zoning and development regulations of Baltimore County and Article 32, Section 4 of the B.C.C., appropriate posting and notice having been provided, the redlined/greenlined development plan (Developer's Exhibit 7) shall be approved consistent with the comments contained herein.

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County, this 17th day of April, 2007, that the aforementioned Public Works Waivers, be and are hereby GRANTED; and

IT IS FURTHER ORDERED, that the redlined/greenlined Development Plan for MORSBERGER PROPERTY, identified herein as Developer's Exhibit 7, be and is hereby APPROVED, subject to the following conditions:

1) The Developer/Petitioner is permitted to proceed; however, the Developer/Petitioner is hereby made aware that doing so shall be at their own risk until the thirty (30) day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief herein could be rescinded.

2) Prior to the issuance of any use and occupancy permits, Morsberger Development, Inc., in accordance with its Agreement, dated August 9, 2005, (Developer's Exhibits 4A and 4B) shall at its own cost and expense engage a contractor, selected by Baltimore County, Maryland, to install five (5) traffic calming devices as displayed on County Exhibit 1. The original exhibit will be maintained in the Department of Permits and Development Management's case file, however, a reduced version is attached for convenience.

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

REASONS FOR SECOND AMENDMENT
DRC NUMBER: 072618A,
DATE: JULY 26, 2011
1. BOUNDARY SHIFTED
2. LOT LINES SHIFTED
3. GRADING, UTILITIES AND LANDSCAPING REVISED.
4. FOREST CONSERVATION AREAS REVISED.
5. GENERAL NOTES REVISED.

John Grason Turnbull, III
Hearing Officer/Zoning Commissioner for Baltimore County

PLAN TO ACCOMPANY HEARING OFFICER'S ORDER
DATE 4/3/2012

GENERAL NOTES

1. SITE AREA - PARCEL 646 (LOTS 33-47 & P/O 69-74) - 10.3119 AC. +/-
   PARCEL 455 - 18.8317 AC.+/- TOTAL - 29.1436 AC. +/-
2. EXISTING ZONING - DR-2
3. EXISTING USE - VACANT
4. PROPOSED USE - 43 SINGLE FAMILY LOTS
5. ELECTION DISTRICT - 1
6. COUNCILMANIC DISTRICT - 1
7. REGIONAL PLANNING DISTRICT - 324B
8. CENSUS TRACT - 4005
9. OWNER/DEVELOPER - MORSBERGER DEVELOPMENT, INC
   C/O WHALEN PROPERTIES
   2 WEST ROLLING CROSSROADS, SUITE 203
   CATONSVILLE, MARYLAND 21228
   PH- 410-747-2900
10. TAX ACCT. NOS. - 0113751870, 0113752120, 0113752121, 1137522122, 0113752123, 0113752124, 0113752125, 0113752126 0113752127, 1800013415, 1800013413, 0113752129, 1800013412, 1800013410, 0113752131, 1800013408, 1800013416, 0113752133, 1800013407,1800013411, 0113752136, 1800013414
11. TAX MAP 100, GRID 24, PARCELS 455 & 646
12. DEED REFERENCES- 21008/509, 6134/594, 12784/222, 6134/600, 2903/56, 6134/604, 10606/111, 6134/606, 6134/602, 21008/509
13. RECORD PLAT REFERENCE- OAK RIDGE - BOOK 5 / 114
14. UNITS PERMITTED
    DR-2 ZONE - 2 DWELLING UNITS / ACRE
    GROSS ACREAGE - 29.29 X 2 = 58 D.U.
    UNITS PROPOSED -43 SINGLE FAMILY LOTS
15. WATERSHED - PATAPSCO
16. SEWERSHED - 76
17. WATER SERV. AREA - CATONSVILLE 4TH ZONE
18. AVERAGE DAILY TRIPS -
    43 UNITS X 10 ADT/UNIT = 430 ADT'S
19. ZONING MAP NO.- 100C3, TOTAL 20. A 100 YEAR FLOODPLAIN EXISTS ON THIS PROPERTY.

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCES AND SPECIAL HEARING REQUEST

THIRD SECOND AMENDED DEVELOPMENT PLAN
SCHEMATIC LANDSCAPE PLAN

THIS PLAN IS SEALED AND CERTIFIED TO BE IN ACCORDANCE WITH THE HEARING OFFICER'S ORDER AND ALL AGENCY COMMENTS

MORSBERGER PROPERTIES

BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 50' DATE: MAY 10, 2006 REV: JULY 30, 2007
PDM FILE NO. 01-528 REVISED: 2nd AMENDMENT; 11/23/2011
REVISED: 3RD AMENDMENT: 5/7/2014

FILENAME:

2014-0234-SPHXA

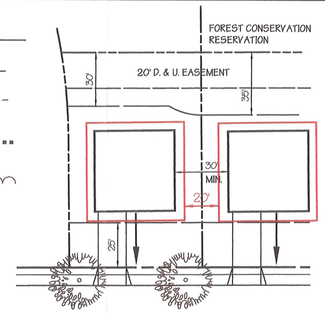
P.N. 1059C

LEGEND

SOILS LINE
FOREST BUFFER — FBE
WETLANDS
STREAM
100 YR. FLOODPLAIN — 17 — 17
TRACT BOUNDARY
PROP. LOT LINE
PROP. RIGHT-OF-WAY
BUILDING SETBACK LINE
SWM WATER QUALITY FACILITY W/ SWM ACCESS EASEMENT (TYP.)

PROPERTY LINE
EXISTING 2' CONTOUR — 502
EXISTING ZONING LINE
EXISTING TREELINE
FRONT ORIENTATION ARROWS
PROP. MAJOR DECIDUOUS TREE
PROP. SHRUB (NON-WOODY)
PROP. MINOR DECIDUOUS TREE
PROP. EVERGREEN TREE
REAR YARD OPEN PROJECTIONS
FIRE HYDRANT

DESIGN AND DRAWING BASED ON MARYLAND COORDINATE SYSTEM HORIZONTAL-NAD 83/91 VERTICAL-NAVD 88



TYPICAL LOT PLAN
SCALE: 1" = 40'

BUILDING SETBACKS

SINGLE FAMILY DETACHED DR. 2 ZONE	(FEET)
FROM FRONT BUILDING FACE TO: PUBLIC STREET RIGHT-OF-WAY OR PROPERTY LINE ARTERIAL OR COLLECTOR	25
FROM SIDE BUILDING FACE TO: SIDE BUILDING FACE	30
PUBLIC STREET R/W	25
PAVING OF PRIVATE ROAD	30
TRACT BOUNDARY	25
FROM REAR BUILDING FACE TO: REAR PROPERTY LINE	30
PUBLIC STREET R/W	30

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.

NOTE: BUILDINGS THAT HAVE SIDE ELEVATIONS THAT FACE ONTO A PUBLIC RIGHT-OF-WAY (LOTS 1, 12, 17, 25, 32, 33, 35, 36, 37 & 42) SHALL NOT BE LEFT AS BLANK WALLS AND SHALL BE ARTICULATED WITH ACHITECTURAL FEATURES SUCH AS PORCHES, WINDOWS, SHUTTERS, DOORS, ETC..

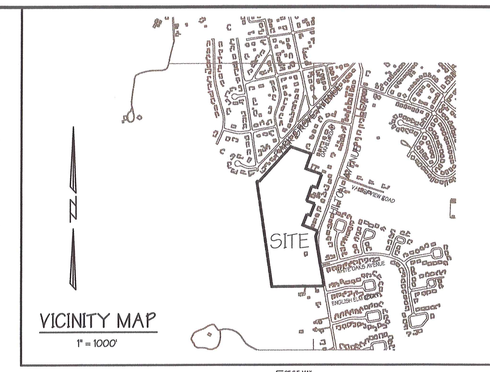
1. A STORMWATER MANAGEMENT VARIANCE WAS GRANTED BY D.E.P.R.M. ON OCTOBER 24, 2006 FOR THE IMPERVIOUS AREA OF 0.06 ACRES ON THE PROPOSED TEE TURNAROUND AT THE END OF OAKHILL ROAD, WITH A FEE IN LIEU TO BE PAID.
2. ON OCTOBER 17, 2007 A REVISED ALTERNATIVES ANALYSIS WAS APPROVED BY BALTIMORE COUNTY D.E.P.R.M. FOR THE SEWER ALIGNMENT, TEE-TURNAROUND, ACCESS DRIVEWAY AND DRAINAGE& UTILITY EASEMENT IN THE FOREST BUFFER. CONDITIONS CONTAINED IN THE ALTERNATIVES ANALYSIS APPROVAL LETTER WERE REQUIRED TO REDUCE WATER QUALITY IMPACTS.
3. THE REVISED ALTERNATIVES ANALYSIS AND VARIANCE WAS APPROVED TO PERMIT IMPACTS TOTALING 8,450 S.F. OF FOREST BUFFER WHICH INCLUDES 2,100 S.F. OF FLOODPLAIN AND 2,250 S.F. OF NON-TIDAL WETLAND. MITIGATION FOR THE PROPOSED IMPACTS INCLUDES BOTH ONSITE FOREST BUFFER PLANTINGS AND 4,500 S.F. OF OFFSITE WETLAND CREATION.
4. PERMISSION IS GRANTED BY D.E.P.R.M. TO PURCHASE 1.2 ACRES OF CREDIT IN A D.E.P.R.M. APPROVED FOREST CONSERVATION BANK TO COMPLY WITH THE FOREST CONSERVATION REGULATIONS.

DEDICATION TABLE

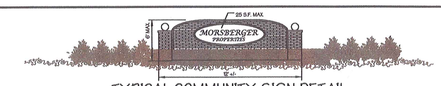
TYPE OF CONVEYANCE	PLAT 1 NO.	PLAT 1 TOTAL AREA	PLAT 2 NO.	PLAT 2 TOTAL AREA	PLATS 1 & 2 NO.	PLATS 1 & 2 TOTAL AREA
DRAINAGE AND UTILITY EASEMENT	5	1.1251	5	2.7068	10	3.8319
FOREST BUFFER EASEMENT & FLOODPLAIN RESERVATION	-	-	1	3.0867	1	3.0867
FOREST BUFFER EASEMENT	-	-	3	0.0462	3	0.0462
FOREST BUFFER & FOREST CONSERVATION EASEMENT	-	-	5	5.2203	5	5.2203
FOREST CONSERVATION EASEMENT	1	0.3851	6	1.6929	7	2.0880
HIGHWAY WIDENING	3	0.7581	1	0.0034	4	0.8215
HIGHWAY RIGHT-OF-WAY	3	2.0529	-	-	3	2.0529
STORMWATER MANAGEMENT DRY WALL EASEMENT	3	0.0109	-	-	3	0.0119
STORMWATER MANAGEMENT RESERVATION	2	1.5812	1	0.8394	3	2.4206

SITE DATA

ZONE	ACRES	UNITS ALLOWED	DENSITY UNITS	UNITS PROPOSED
DR-2	29.1436 AC.±	58	N/A	43
	AC.±			
	AC.±			
	AC.±			
	AC.±			
TOTAL	29.1436 AC.±	58		43



VICINITY MAP
1" = 1000'



TYPICAL COMMUNITY SIGN DETAIL
SCALE: NTS

CERTIFICATION AS TO DELINQUENT ACCOUNTS

This certification is submitted in connection with the development known as Morsberger Properties and is given in accordance with the provisions of Section 22-55(c) of the Baltimore County Code, 1978, as amended.

I, Stephen W. White, Jr. (Print), 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.

I HEREBY CERTIFY, that on this 9th day of June 2014, before me, the subscriber, a Notary Public in and for the Baltimore County and State aforesaid, personally appeared Stephen W. White, Jr. and made oath in due form of law that the matters and facts herein above set forth are true.

My Commission Expires: 7-31-16

NOTE:
If applicant is a corporation, this certification must be completed by an authorized officer and if applicant is a partnership or joint venture, it must be completed by a general partner or venturer or an officer thereof.

LANDSCAPING CALCULATIONS

REQUIRED PLANTING UNITS

ADJACENT ROADS	@1 P.U. / 40 LF.			
	1000	L.F. / 40	= 26.7	P.U.
INTERIOR ROADS	@1 P.U. / 20 LF.			
	2351	L.F. / 20	= 117.5	P.U.
SCREENING	@1 P.U. / 15 LF.			
SWM / ADJ. RESIDENT. & R/W	1374	L.F. / 15	= 91.6	P.U.
SIDE YD, REAR YD / PUBLIC R/W	1000	L.F. / 15	= 66.7	P.U.
NEW RESIDENT. / OLD RESIDENTIAL	580	L.F. / 15	= 38.7	P.U.
LOCAL OPEN SPACE	@1 P.U. / 1500 S.F.			
	100,00 S.F. / 1500	= 6.7	P.U.	
	TOTAL P.U. REQUIRED	= 347.9	P.U.	

PLANTING UNITS PROVIDED	EXISTING	NEW		
MAJOR DECIDUOUS @ 1:1	86	136	= 223	P.U.
MINOR DECIDUOUS @ 2:1	1	65	= 32.5	P.U.
EVERGREEN @ 2:1		114	= 57	P.U.
SHRUB @ 5:1		177	= 35.4	P.U.
	TOTAL P.U. PROVIDED	= 347.9	P.U.	

STORMWATER MANAGEMENT DATA FACILITY #1

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)		
Parameter	Volume or Size	
Area (Acres)	11.22 Ac.+/-	
% Impervious	28.5 %	
WQv (Water Quality) Required	9,831 cu/ft	0.226 ac/ft
Rev (Recharge) Volume Required	3,243 cu/ft	0.0745 ac/ft
Cpv (Channel Protection) Required	26,615 cu/ft	0.611 ac/ft

STORMWATER MANAGEMENT DATA FACILITY #2

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)		
Parameter	Volume or Size	
Area (Acres)	2.76 Ac.+/-	
% Impervious	34.6 %	
WQv (Water Quality) Required	2,936 cu/ft	0.0674 ac/ft
Rev (Recharge) Volume Required	470 cu/ft	0.0108 ac/ft
Cpv (Channel Protection) Required	7,144 cu/ft	0.164 ac/ft

STORMWATER MANAGEMENT DATA FACILITY #3

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)		
Parameter	Volume or Size	
Area (Acres)	4.46 Ac.+/-	
% Impervious	23.2 %	
WQv (Water Quality) Required	3,288 cu/ft	0.0755 ac/ft
Rev (Recharge) Volume Required	1,078 cu/ft	0.025 ac/ft
Cpv (Channel Protection) Required	9,801 cu/ft	0.225 ac/ft

REFER TO THE 2000 MARYLAND STORMWATER DESIGN MANUAL FOR RMP SIZING AND CREDIT COMPUTATIONS, SECTION 3-4, pg. 3-32-3-46 AND SECTION 5-5, pg. 5-14

PERMITS & DEVELOPMENT MANAGEMENT NOTES:

1. THIS PROPERTY AS SHOWN ON THIS DEVELOPMENT 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 HEREON HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED FOR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
2. BUILDING ENVELOPES SHOWN HEREON ARE THE LOCATIONS PERMITTED FOR PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO THE YARD MAY BE CONSTRUCTED OUTSIDE THE DELINEATED ENVELOPES, BUT SHALL COMPLY WITH SECTION 400 AND 301 OF THE B.C.Z.R. (SUBJECT TO ANY COVENANTS AND BUILDING PERMITS.) THE BUILDING FOOTPRINTS AS SHOWN ARE CONCEPTUAL AND MAY BE CHANGED.
3. DIRECTOR OF PDM NOTE: - THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS, AND THAT IT COMPLIES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR FOR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLINGS IS CONSTRUCTED AND TRANSFERED FOR THE PURPOSE OF OCCUPANCY.
4. THE PROPOSED ROADS FOR THIS DEVELOPMENT WILL BE PUBLIC AND CONVEYED TO BALTIMORE COUNTY AT NO COST.
5. THE BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
6. THE DISPOSITION OF A PORTION OF THE UTILITY EASEMENT, AS DESCRIBED IN DEED W.P.C. 5917/266, TO BE DETERMINED BY BALTIMORE COUNTY. THE PORTION OF THE EASEMENT, WHICH AREA IS DEPICTED WITH LEADER LINES ON THIS PLAN, AND WHICH DOES NOT CONTAIN ANY EXISTING UTILITY, IS SUBJECT TO ABANDONMENT AT THE DISCRETION OF BALTIMORE COUNTY AND THE PROPERTY OWNER.

ZONING NOTES:

1. TYPICAL BUILDINGS SHOWN ON THESE SINGLE FAMILY LOTS DICTATE A SPECIFIC ORIENTATION THAT COMPLIES WITH THE B.C.Z.R.. SHOULD THE ORIENTATION CHANGE, THE SETBACKS REQUIRED BY SECTION 1B01.2.C.1.b SHALL GOVERN AS FOLLOWS: SEE DR-2 SETBACK CHART.
2. THE MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED 50 FEET IN ACCORDANCE WITH SECTION 1B01.2.C.1 OF THE B.C.Z.R..
3. THIS SITE IS NOT SUBJECT TO ANY RTA.
4. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL EXISTING STRUCTURES PAVEMENTS, TRASH AND DEBRIS, IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.
5. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOODPLAIN AREAS, AREAS OF HYDRIC SOILS AND OR ENVIRONMENTAL EASEMENTS OR UTILITY EASEMENTS.
6. NO PRIVATE FENCES SHALL BE PLACED CLOSER THAN 10 FROM RIGHTS OF WAYS.
7. ZONING HISTORY: THIS PARCEL WAS PART OF 2004 CZMP ISSUE 2-033. THE PARCEL REMAINS IN A DR- 2 ZONE.
8. ALL DRIVEWAYS WILL COMPLY WITH SECTION 409.4 OF THE B.C.Z.R.
9. THIS SITE IS NOT LOCATED IN ANY DEFICIENT AREAS ON THE ADOPTED BASIC SERVICES MAP'S PURSUANT TO SECTION 4.A02 OF THE B.C.Z.R..
10. THE EXISTING SINGLE FAMILY DWELLING WILL BE REMOVED.
11. THE EXACT LOCATION OF DRIVEWAYS OR PARKING PAD ENTRANCES IS TO BE DETERMINED AT THE TIME OF BUILDING PERMIT.
12. THIS DEVELOPMENT IS SUBJECT TO THE RESIDENTIAL PERFORMANCE STANDARDS OF SECTION 260 OF THE B.C.Z.R.
13. THE HATCHED AREAS AS SHOWN ESTABLISH AN AREA FOR REAR YARD OPEN PROJECTIONS PERMITTED BY RIGHT PURSUANT TO THE REQUIREMENTS OF THE B.C.Z.R. THE OFFICE OF ZONING REVIEW WILL NOT SUPPORT VARIANCES TO OPEN PROJECTIONS INTO THE REAR YARD FOR THESE LOTS.

VARIANCE REQUESTS

-FROM BALTIMORE COUNTY ZONING REGULATIONS, SECTION 1B01.2.C.1.b

1. SIDE BLDS. FACE/SIDE BLDS. FACE, 20' IN LIEU OF 30' REQUIRED ON LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 22, 23, 25, 26, 27, 28, 29, 33, 35, 36, 43.
2. SIDE BLDS. FACE TO PUBLIC R/W , 20' IN LIEU OF 25' REQUIRED ON LOTS 12, 17, 33, 35, 43.
3. SIDE BLDS. FACE TO TRACT BOUNDARY, 15' IN LIEU OF 25' REQUIRED ON LOT 24.
4. FRONT BLDS. FACE TO PUBLIC R/W , 20' IN LIEU OF 25' REQUIRED ON LOTS 33, 43.
5. REAR BLDS. FACE TO REAR PROP. LINE, 22' IN LIEU OF 30' REQUIRED ON LOT 20 AND 24' IN LIEU OF 30' REQUIRED ON LOT 24

-FROM BALTIMORE COUNTY CODE ARTICLE 33, TITLE 3, PROTECTION OF WATER QUALITY, STREAMS, WETLANDS AND FLOODPLAINS

6. REDUCTION OF THE 35-FOOT PRINCIPLE STRUCTURE FOREST BUFFER SETBACK FOR CONSTRUCTION OF A DWELLING TO: 22' ON LOT 20; 24' ON LOT 24; 32' ON LOT 29

OPEN SPACE NOTES

* A LOCAL OPEN SPACE WAIVER IS REQUESTED TO PROVIDE 0 S.F. OF ACTIVE OPEN SPACE AND 10,000 S.F. OF PASSIVE OPEN SPACE WITH A FEE IN LIEU TO BE PAID.

1. OPEN SPACE REQUIRED - 27,950 S.F. ACTIVE AND 15,050 S.F. PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION 1B1.D.5 LATEST EDITION.
2. OPEN SPACE PROVIDED - 0 S.F.ACTIVE AND 10,000 S.F. PASSIVE.
3. ALL LOCAL OPEN SPACE SHALL BE IN COMPLIANCE WITH THE LOCAL OPEN SPACE MANUAL.
4. TEMPORARY OPEN SPACE BOUNDARY MARKERS, TREE PORTECTION DEVICES AND FOUR FOOT HIGH SNOW FENCING OR APPROVED EQUIVALENT SHALL BE INSTALLED PRIOR TO ANY CLEARING OR GRADING.
5. WITHIN THE AREA SHOWN AS OPEN SPACE, DISTURBANCE BEYOND THAT WHICH IS SHOWN ON THE DEVELOPMENT PLAN SHALL NOT BE ALLOWED WITHOUT PRIOR APPROVAL FROM THE DEPARTMENT OF RECREATION AND PARKS.
6. NO UTILITIES, WHETHER PUBLIC OR PRIVATE, INCLUDING, BUT NOT LIMITED TO, TELEPHONE, CABLE, TELEVISION, GAS AND ELECTRIC, WATER, SEWER, AND STORM DRAINS SHALL BE PLACED OR CONSTRUCTED ON OR WITHIN THE AREAS LABELED AS OPEN SPACE WITHOUT PRIOR WRITTEN CONSENT FROM THE BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS.
7. HOA OPEN SPACE SHALL BE OWNED AND MAINTAINED BY A HOMEOWNERS ASSOCIATION.

ANTICIPATED ACTIONS

1. ALTERNATIVES ANALYSIS TO PERMIT DISTURBANCE OF WETLANDS , FOREST BUFFER AND 100 YR. FLOODPLAIN FOR 8" SANITARY SEWER CONSTRUCTION.
2. PUBLIC WORKS WAIVER OF SIDEWALKS ON SADDLE ROCK CT. ADJ. TO THE OPEN SPACE PARCEL.
3. PUBLIC WORKS WAIVER OF STANDARDS TO PERMIT 2:1 GRADED SLOPES IN LIEU OF 3:1 SLOPES FOR THE CONSTRUCTION OF SADDLE ROCK CT. IN THE AREA OF LOTS 24 & 25 TO PARK GROVE AVENUE

REASONS FOR 1ST MATERIAL AMENDMENT TO THE SECOND REFINEMENT
DRC NUMBER: 080394B
1. BUILDING FOOTPRINTS ENLARGED ON ALL LOTS.
2. SETBACK VARIANCES REQUESTED ON LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 28, 29, 33, 35, 36 AND 43.
3. REVISED GRADING SHOWN ON LOTS 6, 7, 10, 11, 16, 17, 18, 19, 20, 21, 22, 25, 26, 30, 31, 33, 34, 35, 36 AND 43.
4. RETAINING WALLS ADDED ON LOTS 11, 20, 21, 30, 31 AND 35.
5. SWM WATER QUALITY DRY WELLS ADDED TO ALL LOTS EXCEPT 4, 5 AND 6.
6. BALTO CO. SWM ACCESS EASEMENTS ADDED TO ALL LOTS.
7. SWM DATA REDEVELOPMENT ESD CHART ADDED.

STORMWATER MANAGEMENT DATA: REDEVELOPMENT ESD

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)		
Parameter	Volume or Size	
Area (Acres)	1.01 Ac.+/-	
% Impervious	100 %	
WQv (Water Quality) Required	3,485 cu/ft	0.080 ac/ft

ENVIRONMENTAL IMPACT REVIEW NOTES:

1. AN ENVIRONMENTAL EFFECTS REPORT AND HYDROGEOLOGICAL STUDY HAVE BEEN SUBMITTED TO BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FOR REVIEW.
2. THERE ARE NO KNOWN ARCHEOLOGICAL SITES OR ENDANGERED SPECIES ON THIS SITE.
3. THERE ARE NO EXISTING WELLS, SEPTICS OR UNDERGROUND STORAGE TANKS ON THIS SITE.
4. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
5. ANY FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT SHOWN HEREON ARE SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
6. A 35' SETBACK WILL BE APPLIED FROM THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION AREAS.
4. PUBLIC WORKS WAIVER TO PERMIT A 24 FOOT WIDE PAVING SECTION ON SADDLE ROCK CT. WITH A 40' R/W AROUND THE CIRCLE PORTION OF THE COURT & A 24' WIDE PAVING SECTION ON A 44' R/W ON BRIDLE CREEK CT. , WAIVER OF SIDEWALKS ON BOTH SIDES OF SADDLE ROCK CT. ADJACENT TO 1701 PARK GROVE AVE. & 1623 PARK GROVE AVE.
5. A LOCAL OPEN SPACE WAIVER IS REQUESTED TO PROVIDE 0 S.F. OF ACTIVE OPEN SPACE AND 10,000 S.F. OF PASSIVE OPEN SPACE WITH A FEE IN LIEU TO BE PAID.

REASONS FOR FIRST REFINEMENT
DRC NUMBER: 082007B, DATE: JANUARY 10, 2008
1. LOTS 30, 31 & 32 REVISED, LOT 33 RELOCATED, LOTS 37-42 REVISED.
2. BRIDLE CREEK CT. TURNAROUND AND R/W REVISED.
3. LOT 43 ADDED.
4. LOCAL OPEN SPACE REVISED - 32,000 S.F. REMOVED, FEE IN LIEU FOR 33,000 S.F..
5. LOT 24 REVISED, SADDLE ROCK CT. R/W REVISED.
6. GRADING, UTILITIES AND LANDSCAPING ASSOCIATED WITH THE ABOVE CHANGES REVISED.
7. DEPRM ALTERNATIVES ANALYSIS AND VARIANCE NOTES REVISED, FOREST BUFFER AND FOREST CONSERVATION AREA REVISED.
8. ROAD NAMES ADDED.
9. LOTS 30, 31 & 32 WATER CONNECTION NOTE ADDED.

REASONS FOR SECOND REFINEMENT
DRC NUMBER: 072618A,
DATE: JULY 26, 2011
1. BOUNDARY SHIFTED
2. LOT LINES SHIFTED.
3. GRADING, UTILITIES AND LANDSCAPING REVISED.
4 FOREST CONSERVATION AREAS REVISED.
5. GENERAL NOTES REVISED.

DEVELOPMENT PLAN ORDER - CASE NO. 1 - 528

Pursuant to the zoning and development regulations of Baltimore County and Article 32, Section 4 of the B.C.C., appropriate posting and notice having been provided, the redlined/greenlined development plan (Developer's Exhibit 7) shall be approved consistent with the comments contained herein.

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County, this 17th day of April, 2007, that the aforementioned Public Works Waivers, be and are hereby GRANTED; and

IT IS FURTHER ORDERED, that the redlined/greenlined Development Plan for MORSBERGER PROPERTY, identified herein as Developer's Exhibit 7, be and is hereby APPROVED, subject to the following conditions:

1) The Developer/Petitioner is permitted to proceed; however, the Developer/Petitioner is hereby made aware that doing so shall be at their own risk until the thirty (30) day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief herein could be rescinded.

2) Prior to the issuance of any use and occupancy permits, Morsberger Development, Inc., in accordance with its Agreement, dated August 9, 2006, (Developer's Exhibits 4A and 4B) shall at its own cost and expense engage a contractor, selected by Baltimore County, Maryland, to install five (5) traffic calming devices as displayed on County Exhibit 1. The original exhibit will be maintained in the Department of Permits and Development Management's case file, however, a reduced version is attached for convenience.

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

Stephen LeGendre, III
Hearing Officer/Zoning Commissioner for Baltimore County

PLAN TO ACCOMPANY HEARING OFFICER'S ORDER
(DATE) 4/3/2007
PROJECT MANAGER

GENERAL NOTES

1. SITE AREA - PARCEL 646 (LOTS 33-47 & P/O 69-74) - 10.3119 AC. +/-
   PARCEL 455 - 18.8317 AC+/-, TOTAL - 29.1436 AC+/-
2. EXISTING ZONING - DR-2
3. EXISTING USE - VACANT
4. PROPOSED USE - 43 SINGLE FAMILY LOTS
5. ELECTION DISTRICT - 1
6. COUNCILMANIC DISTRICT - 1
7. REGIONAL PLANNING DISTRICT - 324B
8. CENSUS TRACT - 400500
9. OWNER/DEVELOPER - MORSBERGER PROPERTIES LLC
   C/O WHALEN PROPERTIES
   2 WEST ROLLING CROSSROADS, SUITE 203
   CATONSVILLE, MARYLAND 21228
   PH- 410-747-2900
10. TAX ACCT. NOS. - 01-1375970, 01-3752120, 01-3752121, 2500009070 THRU 01-3752122, 01-3752123, 01-3752124, 01-3752125, 01-3752126 01-3752127, 1300013415, 1300013413, 01-3752129, 1300013412, 1300013410, 01-3752131, 1300013409, 1300013416, 01-3752133, 1300013407, 1300013411, 01-3752135, 1300013414, 2500009138
11. TAX MAP 100, GRID 24, PARCELS 455 & 646
12. DEED REFERENCES- 2100/8509, 6134/594, 12784/222, 6134/600, 2903/56, 6134/604, 10606/111, 6134/606, 6134/602, 2100/8509
13. RECORD PLAT REFERENCE- OAK RIDGE - BOOK 5 / 114, MORSBERGER PROPERTIES- JLE 79/229 & 79/230
14. UNITS PERMITTED
    DR-2 ZONE - 2 DWELLING UNITS / ACRE
    GROSS ACREAGE - 29.29 X 2 = 58 D.U.
    UNITS PROPOSED -43 SINGLE FAMILY LOTS
15. WATERSHED - PATAPSCO
16. SEWERSHED - 76
17. WATER SERV. AREA - CATONSVILLE 4TH ZONE
18. AVERAGE DAILY TRIPS -
    43 UNITS X 10 ADT/UNIT = 430 ADT'S
19. ZONING MAP NO.- 100C3, 101A3
20. A 100 YEAR FLOODPLAIN EXISTS ON THIS PROPERTY.
21. A COMBINED HEARING IS REQUESTED PER BCZR SECTION 32-4-230. SEE CASE NO. 2014-324-SPHX

THIS PLAN IS SEALED AND CERTIFIED TO BE IN ACCORDANCE WITH THE HEARING OFFICERS ORDER AND ALL AGENCY COMMENTS

FIRST MATERIAL AMENDMENT OF THE SECOND REFINED
DEVELOPMENT PLAN
SCHEMATIC LANDSCAPE PLAN

MORSBERGER PROPERTIES

BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50' DATE: MAY 10, 2006 REV.: JULY 30, 2007
PDM FILE NO. 01-528 REVISED: 2nd AMENDMENT; 11/23/2011
REDLINE REVISION: 6/6/2014

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
4692 MILLENNIUM DRIVE
BELCAMP, MARYLAND 21017
(410) 297-2340

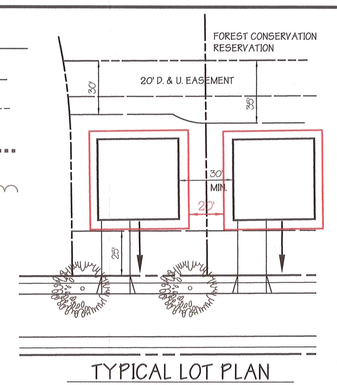
FILENAME:

LEGEND

SOILS LINE
FOREST BUFFER — FBE
WETLANDS
STREAM
100 YR. FLOODPLAIN — (F)
TRACT BOUNDARY
PROP. LOT LINE
PROP. RIGHT-OF-WAY
BUILDING SETBACK LINE
SWM DRYWELL W/ SWM ACCESS EASEMENT (TYP.)

PROPERTY LINE
EXISTING 2' CONTOUR — 502
EXISTING ZONING LINE
EXISTING TREELINE
FRONT ORIENTATION ARROWS
PROP. MAJOR DECIDUOUS TREE
PROP. SHRUB (NON-WOODY)
PROP. MINOR DECIDUOUS TREE
PROP. EVERGREEN TREE
REAR YARD OPEN PROJECTIONS
FIRE HYDRANT

DESIGN AND DRAWING BASED ON MARYLAND COORDINATE SYSTEM
HORIZONTAL-NAD 83/91
VERTICAL-NAVD 88



TYPICAL LOT PLAN
SCALE: 1" = 40'

BUILDING SETBACKS

SINGLE FAMILY DETACHED DR-2 ZONE	(FEET)
FROM FRONT BUILDING FACE TO: PUBLIC STREET RIGHT-OF-WAY OR PROPERTY LINE ARTERIAL OR COLLECTOR	25
FROM SIDE BUILDING FACE TO: SIDE BUILDING FACE	30
PUBLIC STREET R/W	25
PAVING OF PRIVATE ROAD	30
TRACT BOUNDARY	25
FROM REAR BUILDING FACE TO: REAR PROPERTY LINE	30
PUBLIC STREET R/W	30

"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."

NOTE: BUILDINGS THAT HAVE SIDE ELEVATIONS THAT FACE ONTO A PUBLIC RIGHT-OF-WAY (LOTS 1, 12, 17, 25, 30, 33, 35, 36, 37 & 42) SHALL NOT BE LEFT AS BLANK WALLS AND SHALL BE ARTICULATED WITH ACHITECTURAL FEATURES SUCH AS PORCHES, WINDOWS, SHUTTERS, DOORS, ETC..

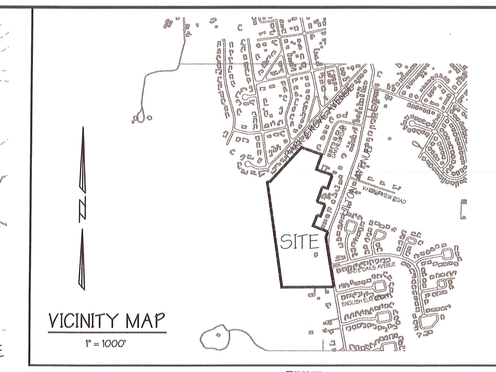
1. A STORMWATER MANAGEMENT VARIANCE WAS GRANTED BY D.E.P.R.M. ON OCTOBER 24, 2006 FOR THE IMPERVIOUS AREA OF 0.06 ACRES ON THE PROPOSED TEE TURNAROUND AT THE END OF OAKHILL ROAD, WITH A FEE IN LIEU TO BE PAID.
2. ON OCTOBER 17, 2007 A REVISED ALTERNATIVES ANALYSIS WAS APPROVED BY BALTIMORE COUNTY D.E.P.R.M. FOR THE SEWER ALIGNMENT, TEE-TURNAROUND, ACCESS DRIVEWAY AND DRAINAGE& UTILITY EASEMENT IN THE FOREST BUFFER. CONDITIONS CONTAINED IN THE ALTERNATIVES ANALYSIS APPROVAL LETTER WERE REQUIRED TO REDUCE WATER QUALITY IMPACTS.
3. THE REVISED ALTERNATIVES ANALYSIS AND VARIANCE WAS APPROVED TO PERMIT IMPACTS TOTALING 8,450 S.F. OF FOREST BUFFER WHICH INCLUDES 2,100 S.F. OF FLOODPLAIN AND 2,250 S.F. OF NON-TIDAL WETLAND. MITIGATION FOR THE PROPOSED IMPACTS INCLUDES BOTH ONSITE FOREST BUFFER PLANTINGS AND 4,500 S.F. OF OFFSITE WETLAND CREATION.
4. PERMISSION IS GRANTED BY D.E.P.R.M. TO PURCHASE 1.2 ACRES OF CREDIT IN A D.E.P.R.M. APPROVED FOREST CONSERVATION BANK TO COMPLY WITH THE FOREST CONSERVATION REGULATIONS.

DEDICATION TABLE

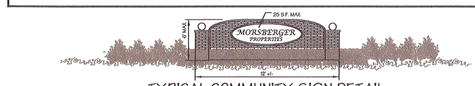
TYPE OF CONVEYANCE	PLAT 1 NO.	PLAT 1 TOTAL AREA	PLAT 2 NO.	PLAT 2 TOTAL AREA	PLATS 1 & 2 NO.	PLATS 1 & 2 TOTAL AREA
DRAINAGE AND UTILITY EASEMENT	5	1.1251	5	2.7068	10	3.8319
FOREST BUFFER EASEMENT & FLOODPLAIN RESERVATION	-	-	1	3.0867	1	3.0867
FOREST BUFFER EASEMENT	-	-	3	0.0462	3	0.0462
FOREST BUFFER & FOREST CONSERVATION EASEMENT	-	-	5	5.2203	5	5.2203
FOREST CONSERVATION EASEMENT	1	0.3951	6	1.6929	7	2.0880
HIGHWAY WIDENING	3	0.7351	1	0.0834	4	0.8215
HIGHWAY RIGHT-OF-WAY	3	2.0529	-	-	3	2.0529
STORMWATER MANAGEMENT DRYWALL EASEMENT	3	0.0109	-	-	3	0.0119
STORMWATER MANAGEMENT RESERVATION	2	1.5812	1	0.8394	3	2.4206

SITE DATA

ZONE	ACRES	UNITS ALLOWED	DENSITY UNITS	UNITS PROPOSED
DR-2	29.1436 AC.±	58	N/A	43
	AC.±			
	AC.±			
	AC.±			
	AC.±			
TOTAL	29.1436 AC.±	58		43



VICINITY MAP
1" = 1000'



TYPICAL COMMUNITY SIGN DETAIL
SCALE: NTS

CERTIFICATION AS TO DELINQUENT ACCOUNTS

This certification is submitted in connection with the development known as Morsberger Properties and is given in accordance with the provisions of Section 22-55(c) of the Baltimore County Code, 1978, as amended.

I, Stephen W. Whalen, Jr. as Attorney-in-fact 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.

I HEREBY CERTIFY, that on this 12th day of January, 2012, before me, the subscriber, a Notary Public in and for the Baltimore County and State aforesaid, personally appeared Stephen W. Whalen, Jr. and made oath in due form of law that the matters and facts herein above set forth are true.

My Commission Expires: 4-14-2014

NOTE:
If applicant is a corporation, this certification must be completed by an authorized officer and if applicant is a partnership or joint venture, it must be completed by a general partner or venturer or an officer thereof.

LANDSCAPING CALCULATIONS

REQUIRED PLANTING UNITS

ADJACENT ROADS	@1 P.U. / 40 L.F.			
	1000	L.F. / 40	= 26.7	P.U.
INTERIOR ROADS	@1 P.U. / 20 L.F.			
	2351	L.F. / 20	= 117.5	P.U.
SCREENING	@1 P.U. / 15 L.F.			
SWM / ADJ. RESIDENT. & R/W	1374	L.F. / 15	= 91.6	P.U.
SIDE YD. REAR YD / PUBLIC R/W	1000	L.F. / 15	= 66.7	P.U.
NEW RESIDENT. / OLD RESIDENTIAL	580	L.F. / 15	= 38.7	P.U.
LOCAL OPEN SPACE	@1 P.U. / 1500 S.F.			
	10000	S.F. / 1500	= 6.7	P.U.
	TOTAL P.U. REQUIRED		= 347.9	P.U.

PLANTING UNITS PROVIDED	EXISTING	NEW		
MAJOR DECIDUOUS @ 1:1	86	136	= 223	P.U.
MINOR DECIDUOUS @ 2:1	1	65	= 32.5	P.U.
EVERGREEN @ 2:1		114	= 57	P.U.
SHRUB @ 5:1		177	= 35.4	P.U.
	TOTAL P.U. PROVIDED		= 347.9	P.U.

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
215 SCHILLING CIRCLE, SUITE 114
HUNT VALLEY, MARYLAND 21031
(410) 785-6640

STORMWATER MANAGEMENT DATA FACILITY #1

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)		
Parameter	Volume or Size	
Area (Acres)	11.22 Ac.+/-	
% Impervious	28.5 %	
WQv (Water Quality) Required	9,831 cu/ft	0.226 ac/ft
Rev (Recharge) Volume Required	3,243 cu/ft	0.0745 ac/ft
Cpv (Channel Protection) Required	26,615 cu/ft	0.611 ac/ft

STORMWATER MANAGEMENT DATA FACILITY #2

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)		
Parameter	Volume or Size	
Area (Acres)	2.76 Ac.+/-	
% Impervious	34.6 %	
WQv (Water Quality) Required	2,956 cu/ft	0.0674 ac/ft
Rev (Recharge) Volume Required	470 cu/ft	0.0108 ac/ft
Cpv (Channel Protection) Required	7,144 cu/ft	0.164 ac/ft

STORMWATER MANAGEMENT DATA FACILITY #3

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)		
Parameter	Volume or Size	
Area (Acres)	4.46 Ac.+/-	
% Impervious	23.2 %	
WQv (Water Quality) Required	3,288 cu/ft	0.0755 ac/ft
Rev (Recharge) Volume Required	1,078 cu/ft	0.025 ac/ft
Cpv (Channel Protection) Required	9,801 cu/ft	0.225 ac/ft

REFER TO THE 2000 MARYLAND STORMWATER DESIGN MANUAL FOR RAIF SIZING AND CREDIT COMPUTATIONS. SECTION 3.4, pg. 3.32-3.46 AND SECTION 5.5, pg. 5.14

PERMITS & DEVELOPMENT MANAGEMENT NOTES:

1. THIS PROPERTY AS SHOWN ON THIS DEVELOPMENT 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 HEREON HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED FOR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
2. BUILDING ENVELOPES SHOWN HEREON ARE THE LOCATIONS PERMITTED FOR PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO THE YARD MAY BE CONSTRUCTED OUTSIDE THE DELINEATED ENVELOPES, BUT SHALL COMPLY WITH SECTION 400 AND 301 OF THE B.C.Z.R. (SUBJECT TO ANY COVENANTS AND BUILDING PERMITS.) THE BUILDING FOOTPRINTS AS SHOWN ARE CONCEPTUAL AND MAY BE CHANGED.
3. DIRECTOR OF PDM NOTE: - THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS, AND THAT IT COMPLIES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR FOR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLINGS IS CONSTRUCTED AND TRANSFERED FOR THE PURPOSE OF OCCUPANCY.
4. THE PROPOSED ROADS FOR THIS DEVELOPMENT WILL BE PUBLIC AND CONVEYED TO BALTIMORE COUNTY AT NO COST.
5. THE BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
6. THE DISPOSITION OF A PORTION OF THE UTILITY EASEMENT, AS DESCRIBED IN DEED W.P.C. 597/366, TO BE DETERMINED BY BALTIMORE COUNTY. THE PORTION OF THE EASEMENT, WHICH AREA IS DEPICTED WITH LEADER LINES ON THIS PLAN, AND WHICH DOES NOT CONTAIN ANY EXISTING UTILITY, IS SUBJECT TO ABANDONMENT AT THE DISCRETION OF BALTIMORE COUNTY AND THE PROPERTY OWNER.

ZONING NOTES:

1. TYPICAL BUILDINGS SHOWN ON THESE SINGLE FAMILY LOTS DICTATE A SPECIFIC ORIENTATION THAT COMPLIES WITH THE B.C.Z.R.. SHOULD THE ORIENTATION CHANGE, THE SETBACKS REQUIRED BY SECTION 1B01.2.C.1b SHALL GOVERN AS FOLLOWS: SEE DR- 2 SETBACK CHART.
2. THE MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED 50 FEET IN ACCORDANCE WITH SECTION 1B01.2.C.1 OF THE B.C.Z.R..
3. THIS SITE IS NOT SUBJECT TO ANY RTA.
4. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL EXISTING STRUCTURES PAVEMENTS, TRASH AND DEBRIS, IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.
5. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOODPLAIN AREAS, AREAS OF HYDRIC SOILS AND OR ENVIRONMENTAL EASEMENTS OR UTILITY EASEMENTS.
6. NO PRIVATE FENCES SHALL BE PLACED CLOSER THAN 10' FROM RIGHTS OF WAYS.
7. ZONING HISTORY: THIS PARCEL WAS PART OF 2004 CZMP ISSUE 2-053. THE PARCEL REMAINS IN A DR- 2 ZONE.
8. ALL DRIVEWAYS WILL COMPLY WITH SECTION 409.4 OF THE B.C.Z.R.
9. THIS SITE IS NOT LOCATED IN ANY DEFICIENT AREAS ON THE ADOPTED BASIC SERVICES MAPS PURSUANT TO SECTION 4A02.1B OF THE B.C.Z.R..
10. THE EXISTING SINGLE FAMILY DWELLING WILL BE REMOVED.
11. THE EXACT LOCATION OF DRIVEWAYS OR PARKING PAD ENTRANCES IS TO BE DETERMINED AT THE TIME OF BUILDING PERMIT.
12. THIS DEVELOPMENT IS SUBJECT TO THE RESIDENTIAL PERFORMANCE STANDARDS OF SECTION 260 OF THE B.C.Z.R.
13. THE HATCHED AREAS AS SHOWN ESTABLISH AN AREA FOR REAR YARD OPEN PROJECTIONS PERMITTED BY RIGHT PURSUANT TO THE REQUIREMENTS OF THE B.C.Z.R. THE OFFICE OF ZONING REVIEW WILL NOT SUPPORT VARIANCES TO OPEN PROJECTIONS INTO THE REAR YARD FOR THESE LOTS.

VARIANCES REQUESTS

-FROM BALTIMORE COUNTY ZONING REGULATIONS, SECTION 1B01.2C.1.b

1. SIDE BLDG. FACE/SIDE BLDG. FACE, 20' IN LIEU OF 30' REQUIRED ON LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 22, 23, 25, 26, 27, 28, 29, 33, 35, 36, 43.
2. SIDE BLDG. FACE TO PUBLIC R/W, 20' IN LIEU OF 25' REQUIRED ON LOTS 12, 17, 33, 35, 43.
3. SIDE BLDG. FACE TO TRACT BOUNDARY, 15' IN LIEU OF 25' REQUIRED ON LOT 24.
4. FRONT BLDG. FACE TO PUBLIC R/W, 20' IN LIEU OF 25' REQUIRED ON LOTS 33, 43.
5. REAR BLDG. FACE TO REAR PROP. LINE, 22' IN LIEU OF 30' REQUIRED ON LOT 20 AND 24' IN LIEU OF 30' REQUIRED ON LOT 24
6. REDUCTION OF THE 35-FOOT PRINCIPLE STRUCTURE FOREST BUFFER SETBACK FOR CONSTRUCTION OFF A DWELLING TO: 22' ON LOT 20; 24' ON LOT 24; 32' ON LOT 29

REASONS FOR THIRD AMENDMENT

1. BUILDING FOOTPRINTS ENLARGED ON ALL LOTS.
2. SETBACK VARIANCES REQUESTED ON LOTS 1,2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 28, 29, 33, 35, 36 AND 43.
3. REVISED GRADING SHOWN ON LOTS 6, 7, 10, 11, 16, 17, 18, 19, 20, 21, 22, 25,26,30,33,34,35,36 AND 43.
4. RETAINING WALLS ADDED ON LOTS 11, 20, 21, 30, 31 AND 35.
5. SWM WATER QUALITY DRY WELLS ADDED TO ALL LOTS EXCEPT 4, 5 AND 6.
6. BALTO CO. SWM ACCESS EASEMENTS ADDED TO ALL LOTS.
7. SWM DATA REDEVELOPMENT ESD CHART ADDED.

STORMWATER MANAGEMENT DATA: REDEVELOPMENT ESD

PROPOSED DRAINAGE AREA (NEW DEVELOPMENT)		
Parameter	Volume or Size	
Area (Acres)	1.01 Ac.+/-	
% Impervious	100 %	
WQv (Water Quality) Required	3,485 cu/ft	0.080 ac/ft

OPEN SPACE NOTES

* A LOCAL OPEN SPACE WAIVER IS REQUESTED TO PROVIDE 0 S.F. OF ACTIVE OPEN SPACE AND 10,000 S.F. OF PASSIVE OPEN SPACE WITH A FEE IN LIEU TO BE PAID.

1. OPEN SPACE REQUIRED - 27,950 S.F. ACTIVE AND 15,050 S.F. PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION 1B01.2 LATEST EDITION.
2. OPEN SPACE PROVIDED - 0 S.F. ACTIVE AND 30,000 S.F. PASSIVE.
3. ALL LOCAL OPEN SPACE SHALL BE IN COMPLIANCE WITH THE LOCAL OPEN SPACE MANUAL.
4. TEMPORARY OPEN SPACE BOUNDARY MARKERS, TREE PORTECTION DEVICES AND FOUR FOOT HIGH SNOW FENCING OR APPROVED EQUIVALENT SHALL BE INSTALLED PRIOR TO ANY CLEARING OR GRADING.
5. WITHIN THE AREA SHOWN AS OPEN SPACE, DISTURBANCE BEYOND THAT WHICH IS SHOWN ON THE DEVELOPMENT PLAN SHALL NOT BE ALLOWED WITHOUT PRIOR APPROVAL FROM THE DEPARTMENT OF RECREATION AND PARKS.
6. NO UTILITIES, WHETHER PUBLIC OR PRIVATE, INCLUDING, BUT NOT LIMITED TO, TELEPHONE, CABLE, TELEVISION, GAS AND ELECTRIC, WATER, SEWER, AND STORM DRAINS SHALL BE PLACED OR CONSTRUCTED ON OR WITHIN THE AREAS LABELED AS OPEN SPACE WITHOUT PRIOR WRITTEN CONSENT FROM THE BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS.
7. HOA OPEN SPACE SHALL BE OWNED AND MAINTAINED BY A HOMEOWNERS ASSOCIATION.

ANTICIPATED ACTIONS

1. ALTERNATIVES ANALYSIS TO PERMIT DISTURBANCE OF WETLANDS , FOREST BUFFER AND 100 YR. FLOODPLAIN FOR 8" SANITARY SEWER CONSTRUCTION.
2. PUBLIC WORKS WAIVER OF SIDEWALKS ON SADDLE ROCK CT. ADJ. TO THE OPEN SPACE PARCEL.
3. PUBLIC WORKS WAIVER OF STANDARDS TO PERMIT 2:1 GRADED SLOPES IN LIEU OF 3:1 SLOPES FOR THE CONSTRUCTION OF SADDLE ROCK CT. IN THE AREA OF LOTS 24 & 25 TO PARK GROVE AVENUE.
4. PUBLIC WORKS WAIVER TO PERMIT A 24 FOOT WIDE PAVING SECTION ON SADDLE ROCK CT. WITH A 40' R/W AROUND THE CIRCLE PORTION OF THE COURT & A 24' WIDE PAVING SECTION ON A 44' R/W ON BRIDLE CREEK CT., WAIVER OF SIDEWALKS ON BOTH SIDES OF SADDLE ROCK CT. ADJACENT TO 1701 PARK GROVE AVE. & 1623 PARK GROVE AVE.
5. A LOCAL OPEN SPACE WAIVER IS REQUESTED TO PROVIDE 0 S.F. OF ACTIVE OPEN SPACE AND 10,000 S.F. OF PASSIVE OPEN SPACE WITH A FEE IN LIEU TO BE PAID.

DEVELOPMENT PLAN ORDER - CASE NO. I - 528

Pursuant to the zoning and development regulations of Baltimore County and Article 32, Section 4 of the B.C.C., appropriate posting and notice having been provided, the redlined/greenlined development plan (Developer's Exhibit 7) shall be approved consistent with the comments contained herein.

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County, this 17th day of April, 2007, that the aforementioned Public Works Waivers, be and are hereby GRANTED; and

IT IS FURTHER ORDERED, that the redlined/greenlined Development Plan for MORSBERGER PROPERY, identified herein as Developer's Exhibit 7, be and is hereby APPROVED, subject to the following conditions:

1) The Developer/Petitioner is permitted to proceed; however, the Developer/Petitioner is hereby made aware that doing so shall be at their own risk until the thirty (30) day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief herein could be rescinded.

2) Prior to the issuance of any use and occupancy permits, Morsberger Development, Inc., in accordance with its Agreement, dated August 9, 2006, (Developer's Exhibits 4A and 4B) shall at its own cost and expense engage a contractor, selected by Baltimore County, Maryland, to install five (5) traffic calming devices as displayed on County Exhibit 1. The original exhibit will be maintained in the Department of Permits and Development Management's case file, however, a reduced version is attached for convenience.

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

REASONS FOR SECOND AMENDMENT

DRC NUMBER: 072611A,
DATE: JULY 26, 2011
1. BOUNDARY SHIFTED
2. LOT LINES SHIFTED.
3. GRADING, UTILITIES AND LANDSCAPING REVISED.
4.FOREST CONSERVATION AREAS REVISED.
5. GENERAL NOTES REVISED.

REASONS FOR FIRST AMENDMENT

DRC NUMBER: 082007B, DATE: JANUARY 10, 2008
1. LOTS 30, 31 & 32 REVISED, LOT 33 RELOCATED, LOTS 37-42 REVISED.
2. BRIDLE CREEK CT. TURNAROUND AND R/W REVISED.
3. LOT 43 ADDED.
4. LOCAL OPEN SPACE REVISED - 32,000 S.F. REMOVED, FEE IN LIEU FOR 33,000 S.F.
5. LOT 24 REVISED, SADDLE ROCK CT. R/W REVISED.
6. GRADING, UTILITIES AND LANDSCAPING ASSOCIATED WITH THE ABOVE CHANGES REVISED.
7. PERM ALTERNATIVES ANALYSIS AND VARIANCE NOTES REVISED, FOREST BUFFER AND FOREST CONSERVATION AREA REVISED.
8. ROAD NAMES ADDED.
9. LOTS 30, 31 & 32 WATER CONNECTION NOTE ADDED.

ENVIRONMENTAL IMPACT REVIEW NOTES:

1. AN ENVIRONMENTAL EFFECTS REPORT AND HYDROGEOLOGICAL STUDY HAVE BEEN SUBMITTED TO BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FOR REVIEW.
2. THERE ARE NO KNOWN ARCHEOLOGICAL SITES OR ENDANGERED SPECIES ON THIS SITE.
3. THERE ARE NO EXISTING WELLS, SEPTICS OR UNDERGROUND STORAGE TANKS ON THIS SITE.
4. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
5. ANY FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT SHOWN HEREON ARE SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
6. A 35' SETBACK WILL BE APPLIED FROM THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION AREAS.

GENERAL NOTES

1. SITE AREA - PARCEL 646 (LOTS 33-47 & P/O 69-74) - 10.3119 AC. +/-
   PARCEL 455 - 18.8317 AC.+/-, TOTAL - 29.1436 AC. +/-
2. EXISTING ZONING - DR-2
3. EXISTING USE - VACANT
4. PROPOSED USE - 43 SINGLE FAMILY LOTS
5. ELECTION DISTRICT - 1
6. COUNCILMANIC DISTRICT - 1
7. REGIONAL PLANNING DISTRICT - 324B
8. CENSUS TRACT - 4005
9. OWNER/DEVELOPER - MORSBERGER DEVELOPMENT, INC
   C/O WHALEN PROPERTIES
   2 WEST ROLLING CROSSROADS, SUITE 203
   CATONSVILLE, MARYLAND 21228
   PH- 410-747-2900
10. TAX ACCT. NOS. - 0113751870, 0113752120, 0113752121, 0113752122, 0113752123, 0113752124, 0113752125, 0113752126 0113752127, 1800013415, 1800013413, 0113752129, 1800013412, 1800013410, 0113752131, 1800013409, 1800013416, 0113752133, 1800013407,1800013411, 0113752135, 1800013414
11. TAX MAP 100, GRID 24, PARCELS 455 & 646
12. DEED REFERENCES- 21008/509, 6134/594, 12784/222, 6134/600, 2903/56, 6134/604, 10606/111, 6134/606, 6134/602, 21008/509
13. RECORD PLAT REFERENCE- OAK RIDGE - BOOK 5 / 114
14. UNITS PERMITTED
    DR-2 ZONE - 2 DWELLING UNITS / ACRE
    GROSS ACREAGE - 29.29 X 2 = 58 D.U.
    UNITS PROPOSED -43 SINGLE FAMILY LOTS
15. WATERSHED - PATAPSCO
16. SEWERSHED - 76
17. WATER SERV. AREA - CATONSVILLE 4TH ZONE
18. AVERAGE DAILY TRIPS -
    43 UNITS X 10 ADT/UNIT = 430 ADTS
19. ZONING MAP NO.- 100C3, 101A3
20. A 100 YEAR FLOODPLAIN EXISTS ON THIS PROPERTY

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCES AND SPECIAL HEARING REQUEST
THIRD ~~SECOND~~ AMENDED
DEVELOPMENT PLAN
SCHEMATIC LANDSCAPE PLAN

MORSBERGER PROPERTIES

BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50' DATE: MAY 10, 2006 REV.: JULY 30, 2007
PDM FILE NO. 01-528 REVISED: 2nd AMENDMENT; 11/23/2011
REVISED: 3RD AMENDMENT: 5/7/2014

PLAN TO ACCOMPANY HEARING OFFICERS ORDER
DATE 12/20/12 DIRECTOR/ PROJECT MANAGER

THIS PLAN IS SEALED AND CERTIFIED TO BE IN ACCORDANCE WITH THE HEARING OFFICER'S ORDER AND ALL AGENCY COMMENTS

FOR 3RD AMENDMENT & 2ND VARIANCE & SPECIAL HEARING REQUESTS

2014-0234-SPHXA

PM 10996