

IN RE: DEVELOPMENT PLAN HEARING & *
PETITIONS FOR SPECIAL HEARING *
AND VARIANCE *
(7301 Dogwood Road) *
1st Election District *
1st Council District *
(HELFRICH – SECTION 2) *

George & Wilhelm C. Helfrich, *Owners* *
GW Helfrich, LLC, *Developer*

BEFORE THE OFFICE OF
ADMINISTRATIVE HEARINGS
FOR
BALTIMORE COUNTY

HOH Case No. 01-0489 &
Zoning Case No. 2015-0273-SPHA

* * * * *

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

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for a public hearing on a development proposal submitted in accordance with Article 32, Title 4, of the Baltimore County Code ("B.C.C."). Patricia A. Malone, Esquire, with Venable, LLP, on behalf of George and Wilhelm Helfrich, *Owners* of the subject property, and GW Helfrich, LLC, *Developer*, (hereinafter "the Developer"), submitted for approval a three-sheet redlined Development Plan ("Plan") prepared by D.S. Thaler & Associates, Inc., "Helfrich – Section 2."

The Developer is proposing 62 single-family attached dwellings on 13 +/- acres of land zoned DR 5.5. The site is currently improved with an existing structure (which will be razed) and a cell tower which is to be retained on site. The site is mostly open with some wooded areas lining the perimeters of the property boundary. The subject property is known as Section 2, and is part of an overall tract that was divided into two properties. Section 1 was developed with a townhouse community known as Granite Woods.

The Developer also has filed a Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R) seeking to amend the Special Exception area approved in Case No. 2009-0182-SPHX for the existing wireless telecommunications tower.

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Date 8-31-15

By [Signature]

In addition, the Developer has filed a Petition for Variance as follows:

1. To allow a minimum side building face to side building face setback of 20 ft. in lieu of the 25 ft. setback required by B.C.Z.R. § 1B01.2.C.1.c;
2. To allow a minimum side building face setback to private road and/or a public right-of-way of 10 ft. in lieu of the 25 ft. setback required by B.C.Z.R. § 1B01.2.C.1.c;
3. To allow a minimum building face setback of 25 ft. tract boundary or lot line in lieu of the 30 ft. setback required by B.C.Z.R. § 1B01.2.C.1.c;
4. To allow a 12 ft. deep deck to extend into the required rear yard, which will exceed the 25% maximum projection permitted by B.C.Z.R. § 301.1.A;
5. To allow a community identification sign within the 50 ft. Residential Transition Area (RTA) buffer required by B.C.Z.R. § 1B01.1.B.1.c.2.;
6. To allow grading and removal of existing vegetation within the 50 ft. RTA buffer required by B.C.Z.R. § 1B01.1.B.1.c.2.;
7. To allow a deck to extend into the 75 ft. RTA setback required by B.C.Z.R. § 1B01.1.B.1.c.2.;
8. To allow the existing wireless telecommunications tower on a 2.3 +/- acre lot in lieu of the required 3 acre minimum lot size required by B.C.Z.R. § 426.9.C.2., and
9. To allow residential lots to be created within 92 ft. +/- of the existing wireless telecommunications tower in lieu of maintaining a 200 ft. setback required by B.C.Z.R. § 426.6.A.1.

Finally, the Developer requests Modification of Standards as follows:

1. To approve a modification of standards to allow up to 7 townhouse units in a row in lieu of the maximum 6 units as permitted by B.C.Z.R. § 504.2 and Comprehensive Manual of Development Policies (C.M.D.P.), Division II, Section A, pp. 28, 30; and
2. To approve a modification of standards to allow up to 12 parking spaces in a row without a landscape island in lieu of the maximum 10 spaces in a row as permitted by B.C.Z.R. § 504.2 and C.M.D.P., Division II, Section A, pp. 28, 30.

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By BW

Details of the proposed development are more fully depicted on the redlined three-sheet Development Plan that was marked and accepted into evidence as Developer's Exhibit 1A-1C. The property was posted with the Notice of Hearing Officer's Hearing and Zoning Notice on July 30, 2015 in compliance with the regulations. The undersigned conducted the hearing on August 28, 2015, at 10:00 AM, Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland.

In attendance at the Hearing Officer's Hearing (HOH) in support of the Plan on behalf of the Developer was David S. Thaler, Stacey A. McArthur, and Mark Vaszil, all with D.S. Thaler and Associates, Inc., the consulting firm that prepared the site plan. Patricia A. Malone, Esquire, with Venable, LLP, represented the Developer.

Numerous representatives of the various Baltimore County agencies who reviewed the Plan also attended the hearing, including the following individuals from the Department of Permits, Approvals and Inspections (PAI): Darryl Putty for Jan M. Cook, Project Manager, Dennis A. Kennedy and Jean M. Tansey (Development Plans Review [DPR]), and Aaron Tsui (Office of Zoning Review). Also appearing on behalf of the County were Jeff Livingston from the Department of Environmental Protection and Sustainability (DEPS), and Jenifer Nugent from the Department of Planning (DOP). There were no Protestants or interested citizens in attendance at the hearing.

Under the County Code, I am required first to identify any unresolved comments or issues as of the date of the hearing. At the hearing, each of the Baltimore County agency representatives identified above indicated that the redlined Development Plan addressed any comments submitted by their agency, and they each recommended approval of the Plan. Ms. Nugent presented a school analysis (Baltimore County Exhibit 2) indicating that none of the area schools exceed allowable state rated capacity. Ms. Nugent also noted a Pattern Book for the development (Developer's Exhibit 3), was reviewed and approved by the Department of Planning. She also indicated the

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By

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Developer satisfied § 260 (residential performance standards) of the B.C.Z.R. and the compatibility requirements set forth in B.C.C. § 32-4-402, as set forth in Baltimore County Exhibit 3.

Ms. Tansey, the County's landscape architect, indicated the Developer will provide a payment of \$152,737 in lieu of providing the active Local Open Space (i.e., 40,300 sq. ft.) required by the regulations. Baltimore County Exhibit 1. The Developer provides on-site a sufficient amount of "passive" open space. Ms. Tansey also approved on June 17, 2015 a schematic landscape plan for the project.

In the "formal" portion of the case, the Developer presented two witnesses. First was Stacey A. McArthur, a registered landscape architect accepted as an expert. Ms. McArthur described the project and the three sheets of the Development Plan, and also provided testimony concerning the special hearing and variance requests. Ms. McArthur explained the Developer prepared alternate development plans for standard townhomes (alternate "A") and garage townhomes (alternate "B"). She opined the Developer satisfied all Baltimore County rules and regulations, including the requirements set forth in § 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) for variance relief.

The next witness was David Thaler. Mr. Thaler's testimony concerned the existing cell tower at the site. The tower was approved by special exception in an Order dated April 22, 2009. Mr. Thaler explained that the tower would remain where it is, but that due to the subdivision of the property (which among other things will identify a 2.3 acre parcel on which the tower will be located) a variance is required from the 3 acre minimum set forth in the regulations. In a similar vein, the tower is currently situated 92' from the building (formerly used as an adult daycare facility) on site, and the plan indicates it will be 92' from a residential lot, which again requires variance relief from the 200' setback in B.C.Z.R. §426. Mr. Thaler testified that the Developer satisfied the §502.1 special exception standard, and that the tower—which has been in place for over 5 years—

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Rv

SW

would not have a detrimental impact upon the community.

This 92' setback is referenced on the plan (Dev. Ex. 7) as a "safe zone," and the County's Tower Review Committee approved the location in connection with the 2009 zoning case (Dev. Ex. 8) and notified the Developer (Ex. 9, letter dated May 20, 2015) that it did not need any further approvals for the existing tower in connection with this development project. Finally, the Developer submitted a report from the engineering firm of Black & Veatch (Dev. Ex. 10) wherein that firm opined that the tower was safe and could withstand stresses from wind and seismic forces.

ZONING REQUESTS AND ISSUES

As noted earlier, the Developer has filed Petitions for Special Hearing and Variance seeking relief from a variety of setbacks and other aspects of the Baltimore County Zoning Regulations (B.C.Z.R.). Ms. McArthur reviewed each of these requests, and explained which of the proposed lots were involved with any given variance request. Both witnesses testified the site is unique and that the Developer would experience a practical difficulty if the regulations were strictly interpreted. Based on this testimony, I find that the subject property is indeed unique, and that the Developer would encounter a practical difficulty if the regulations were strictly interpreted, in that it would not be able to proceed with the project as planned. In addition, I believe the modification of standards pertaining to the maximum number of homes permitted in a group and the number of parking spaces associated therewith is subject to a similar analysis, and should also be granted.

The requirements for variance of the RTA regulations are more stringent than in the ordinary variance case under B.C.Z.R. § 307. The regulations provide a specific rule for variance of RTA, as follows:

§ 1B01.1. General use regulations in D.R. Zones.

B. Dwelling-type and other supplementary use restrictions based on existing subdivision and development characteristics.

1. Residential transition areas and uses permitted therein.

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c. Variance of RTA.

- (1) Notwithstanding the provisions of Section 307, the hearing officer, upon the recommendation of the Departments of Public Works, Planning, Environmental Protection and Sustainability, Permits, Approvals and Inspections, Recreation and Parks, or Economic and Workforce Development, may determine the amount of RTA in cases where a single tract is more than two acres, is vacant, or contains no more than one single-family detached, semidetached or duplex dwelling.
- (2) The RTA for a tract may be modified as directed by findings pursuant to § 32-4-402 and the hearing officer's hearing under Article 32, Title 4, Subtitle 2 of the Baltimore County Code. However, the hearing officer may not reduce the amount of RTA unless the officer specifically finds and determines that such a reduction will not adversely impact the residential community or development on the land adjacent to the property to be developed.

In this case, the proposed intrusions upon the RTA buffers are modest, and there is no evidence in the record to indicate any of the adjoining owners situated across Dogwood Road would in any way be "adversely impacted" by the RTA variance. There is (as shown on the plan) a substantial RTA buffer area which will be planted with trees, and a fence is also proposed at the rear of those homes along Dogwood Road. In these circumstances, I do not believe the adjoining neighbors could see -- much less be adversely impacted by -- the ground-mounted and unlit community sign or the decks which may be constructed in some or all of these townhomes along Dogwood Road. As such, the RTA variances will also be granted.

The Baltimore County Code provides that the "Hearing Officer shall grant approval of a development plan that complies with these development regulations and applicable policies, rules and regulations." B.C.C. § 32-4-229.

THEREFORE, IT IS ORDERED by this Administrative Law Judge/Hearing Officer for

Baltimore County, this 31st day of **August, 2015**, that the "**HELFRICH – SECTION 2**" redlined
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Development Plan, marked and accepted into evidence as Developer's Exhibit 1A-1C, be and is hereby APPROVED.

IT IS FURTHER ORDERED that the Petition for Special Hearing seeking relief from § 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to amend the Special Exception area approved in Case No. 2009-0182-SPHX for the existing wireless telecommunications tower, to include only the 2.3 acre +/- Parcel "A" shown as Developer's Exhibit 7, be and is hereby **GRANTED.**

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.), as follows:

1. To allow a minimum side building face to side building face setback of 20 ft. in lieu of the 25 ft. setback required by B.C.Z.R. § 1B01.2.C.1.c;
2. To allow a minimum side building face setback to private road and/or a public right-of-way of 10 ft. in lieu of the 25 ft. setback required by B.C.Z.R. § 1B01.2.C.1.c;
3. To allow a minimum building face setback of 25 ft. tract boundary or lot line in lieu of the 30 ft. setback required by B.C.Z.R. § 1B01.2.C.1.c;
4. To allow a 12 ft. deep deck to extend into the required rear yard, which will exceed the 25% maximum projection permitted by B.C.Z.R. § 301.1.A;
5. To allow a community identification sign within the 50 ft. Residential Transition Area (RTA) buffer required by B.C.Z.R. § 1B01.1.B.1.c.2.;
6. To allow grading and removal of existing vegetation within the 50 ft. RTA buffer required by B.C.Z.R. § 1B01.1.B.1.c.2.;
7. To allow a deck to extend into the 75 ft. RTA setback required by B.C.Z.R. § 1B01.1.B.1.c.2.;
8. To allow the existing wireless telecommunications tower on a 2.3 +/- acre lot in lieu of the required 3 acre minimum lot size required by B.C.Z.R. § 426.9.C.2.; and
9. To allow residential lots to be created within 92 ft. +/- of the existing wireless

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telecommunications tower in lieu of maintaining a 200 ft. setback required by B.C.Z.R. § 426.6.A.1,

be and is hereby GRANTED.

IT IS FURTHER ORDERED that the requests for Modification of Standards, pursuant to Division II, Section A, of the C.M.D.P., as follows:

1. To approve a modification of standards to allow up to 7 townhouse units in a row in lieu of the maximum 6 units as permitted by B.C.Z.R. § 504.2 and Comprehensive Manual of Development Policies (C.M.D.P.), Division II, Section A, pp. 28, 30; and
2. To approve a modification of standards to allow up to 12 parking spaces in a row without a landscape island in lieu of the maximum 10 spaces in a row as permitted by B.C.Z.R. § 504.2 and C.M.D.P., Division II, Section A, pp. 28, 30,

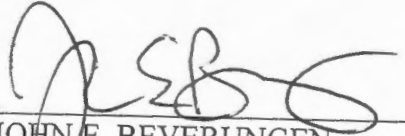
be and is hereby GRANTED.

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Date 8-31-15

By DW

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


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/dlw

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Date 8-31-15

By DLW



PETITION FOR ZONING HEARING(S)

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

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

Address 7301 Dogwood Road which is presently zoned DR 5.5
Deed References: 31599/087, 32800/391 10 Digit Tax Account # 2 4 0 0 0 0 6 8 5 8
Property Owner(s) Printed Name(s) George Helfrich 0 1 1 8 3 5 1 4 0 1

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

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

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

See attached.

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

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

See attached.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate 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

Attorney for Petitioner:

Patricia A. Malone

Name- Type or Print

Signature

210 W. Pennsylvania Ave., Suite 500, Towson, MD

Mailing Address

City

State

21204

410-494-6206

PAMalone@venable.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

See attached

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature # 2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Patricia A. Malone

Name - Type or Print

Signature

210 W. Pennsylvania Ave., Suite 500, Towson, MD

Mailing Address

City

State

21204

410-494-6206

PAMalone@venable.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2015-0273-SPHA Filing Date 5/28/15

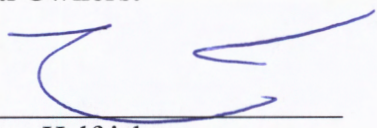
Do Not Schedule Dates:

Reviewer

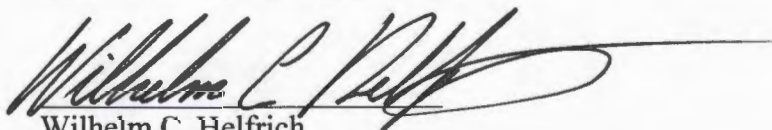
**Attachment for
Petition for Variance and Petition for Special Hearing**

Helfrich Property – Section 2
7301 Dogwood Road

Legal Owners:



George Helfrich
2516 Maryland Avenue
Baltimore, Maryland 21218-4510



Wilhelm C. Helfrich
2516 Maryland Avenue
Baltimore, Maryland 21218-4510

Item #0273

**Attachment for
Petition for Variance and Petition for Special Hearing**

Helfrich Property – Section 2

Petition for Special Hearing:

To amend the special exception area approved in Case No. 2009-0182-SPH for the existing wireless telecommunications tower.

Petition for Variance:

To allow a minimum side building face to side building face setback of 20 feet in lieu of the 25 foot setback required by BCZR Section 1B01.2.C.1.c.

To allow a minimum side building face setback to private road and/or a public right-of-way of 10 feet in lieu of the 25 foot setback required by BCZR Section 1B01.2.C.1.c.

To allow a minimum building face setback of 25 feet to tract boundary or lot line in lieu of the 30 foot setback required by BCZR Section 1B01.2.C.1.c.

To allow a 12 foot deep deck to extend into the required rear yard, which will exceed the 25% maximum projection permitted by BCZR Section 301.1.A.

To allow a community identification sign within the 50 foot RTA buffer required by BCZR Section 1B01.1.B.1.c.2.

To allow grading and removal of existing vegetation within the 50 RTA buffer required by BCZR Section 1B01.1.B.1.c.2.

To allow a deck to extend into the 75 foot RTA setback required by BCZR Section 1B01.1.B.1.c.2.

To allow the existing wireless telecommunications tower on a 2.3± acre lot in lieu of the required 3 acre minimum lot size required by BCZR Section 426.9.C.2.

To allow residential lots to be created within 92± feet of the existing wireless telecommunications tower in lieu of maintaining a 200 foot setback required by BCZR Section 426.6.A.1.

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Modification of Standards:

To approve a modification of standards to allow up to 7 townhouse units in a row in lieu of the maximum 6 units as permitted by BCZR Section 504.2 and CMAP, Division II, Section A, pp. 28, 30.

To approve a modification of standards to allow up to 12 parking spaces in a row without a landscape island in lieu of the maximum 10 spaces in a row as permitted by BCZR Section 504.2 and CMAP, Division II, Section A, pp. 28, 30.

HELFRICH – SECTION II

Description to Accompany Zoning Petition (for Zoning purposes only)

Beginning a point located approximately 1,872 feet Northwest of the intersection of Rolling Drive and Dogwood Road, said point having Baltimore County coordinates of N 602,592 E 1,378,405 and running for the following twelve courses and distances:

1. South 19°11'42" West 798.14 feet more or less to a point; thence
2. North 43°13'55" West 700.19 feet more or less to a point; thence
3. North 05°17'13" East 66.43 feet more or less to a point; thence
4. North 81°39'19" West 80.55 feet more or less to a point; thence
5. South 84°04'08" West 306.31 feet more or less to a point; thence
6. North 10°27'47" West 296.31 feet more or less to a point; thence
7. North 77°00'57" East 115.00 feet more or less to a point; thence
8. North 06°33'44" West 181.81 feet more or less to a point; thence
9. South 73°35'28" East 368.11 feet more or less to a point; thence
10. South 77°00'57" West 59.43 feet more or less to a point; thence
11. Southeasterly 122.85 feet by a curve to the left having a radius of 4030.00 feet and a chord bearing South 76°36'19" East 122.85 feet more or less to a point; thence
12. South 77°28'43" East 569.30 feet more or less to a point; thence
13. Southeasterly 116.60 feet more or less by a curve to the right having a radius of 1115.00 feet and chord bearing South 74°28'58" East 116.55 feet more or less to the point of beginning.

Containing approximately 13.0 acres of Land, more or less located in the First Election District and First Councilmanic District of Baltimore County.

Item #0273



HELFRICH – SECTION II

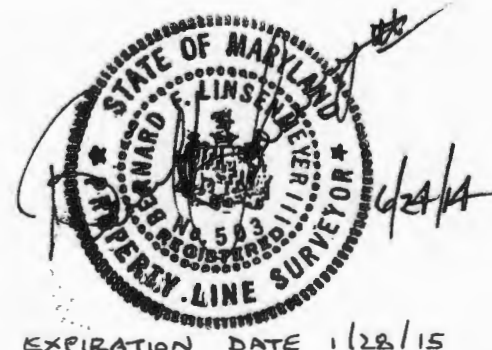
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Containing approximately 13.0 acres of Land, more or less located in the First Election District and First Councilmanic District of Baltimore County.

Item #0273



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

No. **125480**

Date: **5/28/15**

PAID RECEIPT

BUSINESS ACTUAL TIME
 5/01/2015 5/28/2015 11:14:18

REC WSOE WALKIN LRAE LJR
 RECEIPT # 504007 5/28/2015 OFLN

5-529 ZONING VERIFICATION
 CR 40 125480

Recpt Tot \$1,000.00
 \$1,000.00 CK \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				51000

Total: **51000**

Rec From:

For: **Zoning hearing - case #2015-0273-SPHA**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

on the lower portion of the pole are reduced, making further collapse of the pole unlikely.

I am persuaded that Petitioner will take the necessary steps to ensure that the proposed 120 foot monopole in the instant matter is designed and erected in a manner consistent with the characteristics discussed in this report.

Turning now to the Special Hearing request, I am persuaded by the testimony and evidence presented that this relief should also be granted. Petitioner adduced substantial evidence that the location of the new tower and compound will not result in overlapping use between this 650 square foot space needed for the special exception and the existing building that is used by Easter Seals as an adult daycare facility. Because there is no conflict or overlap, there is no prohibition under Section 102.2 of the B.C.Z.R. for such dual use. By way of example, this situation could be compared to a wireless cell tower that is surrounded by a farmer's agriculturally used field. Finally, I find that the existing building and its use by Easter Seals as an adult daycare facility is a permitted use, with no conflicting uses vis-à-vis the proposed wireless telecommunications tower.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and after considering the testimony and evidence offered by the parties, I find that Petitioner's request for special hearing and special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 22nd day of April, 2009 that Petitioner's request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve the following:

- Two uses (adult daycare and wireless telecommunications tower) co-existing on the same property in close proximity to each other; and

~~NOTED BY THE CLERK~~
4.22.09
PM

- Two uses as not conflicting with Section 102.2 of the B.C.Z.R.; and
- To confirm the legality of the adult daycare use existing on property

be and are hereby GRANTED.

IT IS FURTHER ORDERED that the request for Special Exception to allow a telecommunications facility tower on property zoned D.R.5.5 pursuant to section 426.5 of the B.C.Z.R. be and is hereby GRANTED.

This Order is subject to the following restrictions which are conditions precedent to the relief granted herein:

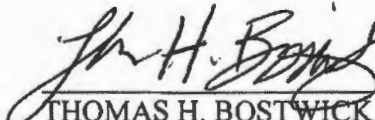
1. Petitioner may apply for permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The tower shall be a concealment monopole where all the antennae are located within the pole structure. The pole shall also be of a type and have characteristics consistent with the design and construction of the monopole discussed in the report dated November 26, 2007 from Paul J. Ford and Company, consulting structural engineers, which was marked and accepted into evidence as Petitioner's Exhibit 11.
3. The tower shall be a white or off-white (such as galvanized gray) color that would blend in with the horizon and the surroundings. The color shall be approved by the Office of Planning.
4. Petitioner shall provide Class A screening around the telecommunications compound through appropriate landscaping as shown on Petitioner's Exhibit 1, as well as an 8 foot high board-on-board fence surrounding the compound. The Class A screening and fencing shall be approved by the Office of Planning.
5. During construction of the telecommunications tower and compound and thereafter as part of its maintenance of the site, Petitioner shall have access to the site in common with the co-lessee, Easter Seals, but shall not materially interfere with or impact Easter Seals' use of the property; in particular their access, parking, and use of the adult daycare building.
6. Petitioner shall provide the co-lessee, Easter Seals, a valid certificate of liability insurance from year to year naming Easter Seals Greater Washington-Baltimore Region, Inc. as an additional insured. Furthermore, Petitioner T-Mobile and the property owner

4.22.09

shall agree to indemnify and hold harmless Baltimore County from any claims of liability arising from the design, construction, maintenance, and potential failure of the wireless telecommunications tower, or in the alternative, shall include Baltimore County as an additional insured on the same policy (and provide Baltimore County a copy of said certificate of liability insurance referencing the above-captioned matter and Case Number).

7. In compliance with Section 426.6 of the B.C.Z.R., upon completion of the tower and every five years thereafter, Petitioner shall submit to the Code Official written certification from a professional engineer verifying that the tower and any structure housing equipment for the tower meets all applicable Building Code and safety requirements.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

STAMP RECEIVED FOR FILED

4.22.09 



THE BALTIMORE SUN MEDIA GROUP

501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3471390

Sold To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON, MD 21204-5304

Bill To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON, MD 21204-5304

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Aug 06, 2015

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: # 2015-0273-SPH

7301 Dogwood Road
S/S Dogwood Road, 1872 ft. W/of Rolling Road
1st Election District - 1st Councilmanic District
Legal Owner(s) George Helfrich, Wilhelm Helfrich

Special Hearing to amend the Special Exception area approved in Case 2009-0182-SPH for existing wireless telecommunications tower.

Variance to 1. To allow a minimum side building face to side building face setback of 20 ft. in lieu of the 25 ft. setback required by BCZR Section 1B01.2.C.1.c 2. To allow a minimum side building face setback to private road and/or a public right-of-way of 10 ft. in lieu of the 25 ft. setback required by BCZR Section 1B01.2.C.1.c 3. To allow a minimum building face setback of 25 ft. tract boundary or lot line in lieu of the 30 ft. setback required by BCZR Section 1B01.2.C.1.c 4. To allow a 12 ft. deep deck to extend into the required rear yard which will exceed the 25% maximum projection permitted by BCZR Section 301.1.A 5. To allow a community identification sign within the 50 ft. RTA buffer required by BCZR Section 1B01.1B.c2. 6 To allow grading and removal of existing vegetation within the 50 RTA buffer required by BCZR Section 1B01.1B.1.c.2. 7. to allow a deck to extend into the 75 ft. RTA setback required by BCZR Section 1B01.1B.1.c.2. 8. To allow the existing wireless telecommunications tower on a 2.3 +/- acre lot in lieu of teh required 3 acre minimum lot size required by BCZR Section 426.9.C.2. 9. To allow residential lots to be created within 92 ft. +/- of the existing wireless telecommunications tower in lieu of maintaining a 200 ft. setback required by BCZR Section 426.6.A.1 10. To approve a modification of standards to allow up to 7 townhouse units in a row in lieu of the maximum 6 units as permitted by BCZR Section 504.2 and CMDP, Division II, Section A, pp. 28, 30. 11. To approve a modification of standards to allow up to 12 parking spaces in a row without a landscape island in lieu of the maximum 10 spaces in a row as permitted by BCZR Section 504.2 and CMDP, Division II, Section, pp. 28, 20.

Hearing: Friday, August 28, 2015 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.

8/003 August 6

3471390

The Baltimore Sun Media Group

By

S. Wilkins

Legal Advertising

CERTIFICATE OF POSTING

2015-0273-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

George & Wilhelm Helfrich

August 28, 2015

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

7301 Dogwood Rd

July 30, 2015

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,



(Signature of Sign Poster) July 30, 2015
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # **2015-0273-SPHA**

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

ROOM 205, JEFFERSON BUILDING
PLACE: **105 W. CHESAPEAKE AVE. TOWSON MD 21204**
DATE AND TIME: **Friday, August 28, 2015 at 10:00 a.m.**

REQUEST: *Special Hearing to amend the Special Exception area approved in Case 2009-0182-SPH for existing wireless telecommunications tower. Variance 1. To allow a minimum side building face to side building face setback of 20 ft. in lieu of the 25 ft. setback required by BCZR Section 1 B01.2 C.1 c. 2. To allow a minimum side building face setback to private road and/or a public right-of-way of 10 ft. in lieu of the 25 ft. setback required by BCZR Section 1 B01.2 C.1 c. 3. To allow a minimum building face setback of 25 ft. from boundary or lot line in lieu of the 30 ft. setback required by BCZR*

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # **2015-0273-SPHA (Continued 1)**

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

ROOM 205, JEFFERSON BUILDING
PLACE: **105 W. CHESAPEAKE AVE. TOWSON MD 21204**
DATE AND TIME: **Friday, August 28, 2015 at 10:00 a.m.**

REQUEST: Section 1 B01.2 C.1 c. 4. To allow a 12 ft. deep deck to extend into the required rear yard which will exceed the 25% maximum projection permitted by BCZR Section 301.1 A. 5. To allow a community identification sign within the 50 ft. RTA buffer required by BCZR Section 1 B01.1 B.1 c.2. 6. To allow grading and removal of existing vegetation within the 50 ft. RTA buffer required by BCZR Section 1 B01.1 B.1 c.2. 7. To allow a deck to extend into the 75 ft. RTA setback required by BCZR Section 1 B01.1 B.1 c.2. 8. To allow the existing wireless telecommunications tower on a 2.3 +/- acre lot in lieu

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # **2015-0273-SPHA (Continued 2)**

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

ROOM 205, JEFFERSON BUILDING
PLACE: **105 W. CHESAPEAKE AVE. TOWSON MD 21204**
DATE AND TIME: **Friday, August 28, 2015 at 10:00 a.m.**

REQUEST: of the required 3 acre minimum lot size required by BCZR Section 426.9 C.2. 9. To allow residential lots to be created within 92 ft +/- of the existing wireless telecommunications tower in lieu of maintaining a 200 ft. setback required by BCZR Section 426.8 A.1. 10. To approve a modification of standards to allow up to 7 townhouse units in a row in lieu of the maximum 6 units as permitted by BCZR Section 504.2 and CMDP, Division II, Section A, pp. 28, 30. 11. To approve a modification of standards to allow up to 12 parking spaces in a row without a landscape island in lieu of

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # **2015-0273-SPHA (Continued 3)**

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

ROOM 205, JEFFERSON BUILDING
PLACE: **105 W. CHESAPEAKE AVE. TOWSON MD 21204**
DATE AND TIME: **Friday, August 28, 2015 at 10:00 a.m.**

REQUEST: the maximum 10 spaces in a row is permitted by BCZR Section 504.2 and CMDP, Division II, Section A, pp. 28, 30.

HANDICAPPED ACCESSIBLE

Notice of Hearing Officer's Hearing

For
HELFRICH-SECTION 2 - PM Number 01-0488
Name of Request

Date and Time: **Friday, August 28, 2015 10:00 a.m.**
Location: **Room 205, JEFFERSON BUILDING, 105 W. CHESAPEAKE AVE. TOWSON, MD 21204**

Developer: **George Helfrich, 105 W. CHESAPEAKE AVE. TOWSON, MD 21204**

Property Address: **105 W. CHESAPEAKE AVE. TOWSON, MD 21204**

Description of Proposed Development: **62 SINGLE-FAMILY RESIDENTIAL UNITS**

You may review the plans or obtain additional information at:
Department of Permitting & Inspections
County Office Building, Room 123
111 West Chesapeake Avenue, Towson, MD 21204
(410) 327-3325

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 2015-0273-SPHA

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

ROOM 205, JEFFERSON BUILDING

PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: Friday, August 28, 2015 at 10:00 a.m.

REQUEST: Special Hearing to amend the Special Exception area approved in Case 2009-0182-SPH for existing wireless telecommunications tower. Variance 1. To allow a minimum side building face to side building face setback of 20 ft. in lieu of the 25 ft. setback required by BCZR Section 1 B01.2.C.1.c 2. To allow a minimum side building face setback to private road and/or a public right-of-way of 10ft. in lieu of the 25 ft. setback required by BCZR Section 1 B01.1.2.C.1.c 3. To allow a minimum building face setback of 25 ft. tract boundary or lot line in lieu of the 30 ft. setback required by BCZR

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

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

HANDICAPPED ACCESSIBLE

ZO

CASE # 20

A PUBLIC
THE

ROOM

PLACE: 105 W

DATE AND TIME

REQUEST: Section 1 B01.2.C.1.c 4. To allow a 12 ft. deep deck to extend into the required rear yard which will exceed the 25% maximum projection permitted by BCZR Section 301.1.A 5. To allow a community identification sign within the 50 ft. RTA buffer required by BCZR Section 1 B01.1.B.1.c.2. 6. To allow grading and removal of existing vegetation within the 50 RTA buffer required by BCZR Section 1B01.1.B.1.c.2. 7. To allow a deck to extend into the 75 ft. RTA setback required by BCZR Section 1 B01.1. B.1. c.2. 8. To allow the existing wireless telecommunications tower on a 2.3 +/- acre lot in lieu

POSTPONEMENTS DUE TO WE

TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN A

HAN

ZONING NOTICE

CASE # 2015-0273-SPHA (Continued 1)

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

ROOM 205, JEFFERSON BUILDING

PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: Friday, August 28, 2015 at 10:00 a.m.

REQUEST: Section 1 B01.2.C.1.c 4. To allow a 12 ft. deep deck to extend into the required rear yard which will exceed the 25% maximum projection permitted by BCZR Section 301.1.A 5. To allow a community identification sign within the 50 ft. RTA buffer required by BCZR Section 1 B01.1.B.1.c.2. 6. To allow grading and removal of existing vegetation within the 50 RTA buffer required by BCZR Section 1B01.1.B.1.c.2. 7. To allow a deck to extend into the 75 ft. RTA setback required by BCZR Section 1 B01.1. B.1. c.2. 8. To allow the existing wireless telecommunications tower on a 2.3 +/- acre lot in lieu

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HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # **2015-0273-SPHA** (Continued 2)

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

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: Friday, August 28, 2015 at 10:00 a.m.

REQUEST: of the required 3 acre minimum lot size required by BCZR Section 426.9.C.2. 9. To allow residential lots to be created within 92 ft. +/- of the existing wireless telecommunications tower in lieu of maintaining a 200 ft. setback required by BCZR Section 426.6.A.1 10. To approve a modification of standards to allow up to 7 townhouse units in a row in lieu of the maximum 6 units as permitted by BCZR Section 504.2 and CMDP, Division II, Section A, pp. 28, 30. 11. To approve a modification of standards to allow up to 12 parking spaces in a row without a landscape island in lieu of

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ZONING NOTICE

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THE ZONING COMMISSIONER
IN TOWSON, MD**

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: Friday, August 28, 2015 at 10:00 a.m.

REQUEST: the maximum 10 spaces in a row as permitted by BCZR Section 504.2 and CMDP, Division II, Section A, pp. 28,30.

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

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

HANDICAPPED ACCESSIBLE



KEVIN KAMENETZ
County Executive
June 30, 2015

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

NOTICE OF ZONING HEARING

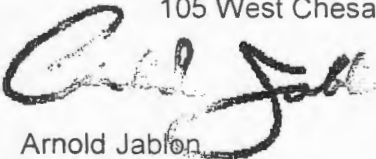
The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2015-0273-SPHA

7301 Dogwood Road
S/s Dogwood Road, 1872 ft. W/of Rolling Road
1st Election District – 1st Councilmanic District
Legal Owners: George Helfrich, Wilhelm Helfrich

Special Hearing to amend the Special Exception area approved in Case 2009-0182-SPH for existing wireless telecommunications tower. **Variance** to 1. To allow a minimum side building face to side building face setback of 20 ft. in lieu of the 25 ft. setback required by BCZR Section 1B01.2.C.1.c.2. To allow a minimum side building face setback to private road and/or a public right-of-way of 10 ft. in lieu of the 25 ft. setback required by BCZR Section 1B01.1.2.C.1.c.3. To allow a minimum building face setback of 25 ft. tract boundary or lot line in lieu of the 30 ft. setback required by BCZR Section 1B01.2.C.1.c.4. To allow a 12 ft. deep deck to extend into the required rear yard which will exceed the 25% maximum projection permitted by BCZR Section 301.1.A.5. To allow a community identification sign within the 50 ft. RTA buffer required by BCZR Section 1B01.1.B.1.c.2. 6. To allow grading and removal of existing vegetation within the 50 RTA buffer required by BCZR Section 1B01.1.B.1.c.2. 7. To allow a deck to extend into the 75 ft. RTA setback required by BCZR Section 1B01.1.B.1.c.2. 8. To allow the existing wireless telecommunications tower on a 2.3 +/- acre lot in lieu of the required 3 acre minimum lot size required by BCZR Section 426.9.C.2. 9. To allow residential lots to be created within 92 ft. +/- of the existing wireless telecommunications tower in lieu of maintaining a 200 ft. setback required by BCZR Section 426.6.A.1 10. To approve a modification of standards to allow up to 7 townhouse units in a row in lieu of the maximum 6 units as permitted by BCZR Section 504.2 and CMDP, Division II, Section A, pp. 28, 30. 11. To approve a modification of standards to allow up to 12 parking spaces in a row without a landscape island in lieu of the maximum 10 spaces in a row as permitted by BCZR Section 504.2 and CMDP, Division II, Section A, pp. 28, 30.

Hearing: Friday, August 28, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Patricia Malone, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, AUGUST 8, 2015.**
(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, August 6, 2015 Issue - Jeffersonian

Please forward billing to:

Patricia Malone
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6206

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: 2015-0273-SPH

7301 Dogwood Road
S/s Dogwood Road, 1872 ft. W/of Rolling Road
1st Election District – 1st Councilmanic District
Legal Owners: George Helfrich, Wilhelm Helfrich

Special Hearing to amend the Special Exception area approved in Case 2009-0182-SPH for existing wireless telecommunications tower. **Variance** to 1. To allow a minimum side building face to side building face setback of 20 ft. in lieu of the 25 ft. setback required by BCZR Section 1B01.2.C.1.c 2. To allow a minimum side building face setback to private road and/or a public right-of-way of 10 ft. in lieu of the 25 ft. setback required by BCZR Section 1B01.1.2.C.1.c 3. To allow a minimum building face setback of 25 ft. tract boundary or lot line in lieu of the 30 ft. setback required by BCZR Section 1B01.2.C.1.c 4. To allow a 12 ft. deep deck to extend into the required rear yard which will exceed the 25% maximum projection permitted by BCZR Section 301.1.A 5. To allow a community identification sign within the 50 ft. RTA buffer required by BCZR Section 1B01.1.B.1.c.2. 6. To allow grading and removal of existing vegetation within the 50 RTA buffer required by BCZR Section 1B01.1.B.1.c.2. 7. To allow a deck to extend into the 75 ft. RTA setback required by BCZR Section 1B01.1.B.1.c.2. 8. To allow the existing wireless telecommunications tower on a 2.3 +/- acre lot in lieu of the required 3 acre minimum lot size required by BCZR Section 426.9.C.2. 9. To allow residential lots to be created within 92 ft. +/- of the existing wireless telecommunications tower in lieu of maintaining a 200 ft. setback required by BCZR Section 426.6.A.1 10. To approve a modification of standards to allow up to 7 townhouse units in a row in lieu of the maximum 6 units as permitted by BCZR Section 504.2 and CMDP, Division II, Section A, pp. 28, 30. 11. To approve a modification of standards to allow up to 12 parking spaces in a row without a landscape island in lieu of the maximum 10 spaces in a row as permitted by BCZR Section 504.2 and CMDP, Division II, Section A, pp. 28, 30.

Hearing: Friday, August 28, 2015 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 * BEFORE THE OFFICE
AND VARIANCE *
7301 Dogwood Road; S/S Dogwood Road, * OF ADMINISTRATIVE
1872' W of Rolling Road *
1st Election & 1st Councilmanic Districts * HEARINGS FOR
Legal Owner(s): George & Wilhelm Helfrich * BALTIMORE COUNTY
Petitioner(s) *
2015-273-SPHA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED
JUN 11 2015

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of June, 2015, a copy of the foregoing Entry of Appearance was mailed to Patricia Malone, Esquire, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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: 2015-0273-SPHA

Petitioner: George Helfrich, et al.

Address or Location: 7301 Pogwood Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Patricia A. Malone

Address: Venable LLP

210 W. Pennsylvania Ave
Suite 500 Towson MD 21204

Telephone Number: 410-494-6206

MEMORANDUM

DATE: October 1, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0273-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on September 30, 2015. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: / Case File
Office of Administrative Hearings

HDH # 01-89

Case No. 5

2015-0273-SPHA

Original Exhibits
located in that
file

Exhibit Sheet

8-31-15

1A+1B
Local Open Sp

(same exhibits in both cases)

Petitioner/Developer

Protestants

BALTO
CO

No. 1	1A-1C Dev. Plan		1A+1B School Analysis
No. 2	McArthur resume		School Analysis
No. 3	Pattern Book		Compatibility Report
No. 4	Aerial		
No. 5	Rendering - Dev. Plan		
No. 6	Thaler resume		
No. 7	Plan re: tower		
No. 8	Zoning Cases re: cell tower		
No. 9	TRC correspondence		
No. 10	Black+Veatch Report		
No. 11			
No. 12			

CASE NAME HELFRICH-SECTION 2
CASE NUMBER 01-0489 ✓
DATE AUG. 28, 2015

2015 -
0273 -
SPHA

[illegible]

CASE NAME HELFRICH - SECTION 2
CASE NUMBER 01-0489
DATE AUG. 28, 2015

NAME _____

CITY, STATE, ZIP

E - MAIL

[illegible]

CASE NAME HELFRICH-SECTION 2
CASE NUMBER 01-0489
DATE AUG. 28, 2015

[illegible]

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>6-16</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>6-16</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>2009-0182-SPHX</u>)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>7-30-15</u> by <u>Black</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____



KEVIN KAMENETZ
County Executive

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

August 20, 2015

George and Wilhelm C Helfrich
2516 Maryland Avenue
Baltimore MD 21218-4510

RE: Case Number: 2015-0273 SPHA, Address: 7301 Dogwood Road

Dear Messrs. Helfrich:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 23, 2015. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Patricia A Malone, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary

Date: 6/10/15

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

RE: Baltimore County
Item No 2015-0273-SPHA

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above 2015-0273-SPHA 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.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) extension 5598, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in dark ink, appearing to read "David W. Peake".

For David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 15, 2015
Item No. 2015-0273

DATE: June 16, 2015

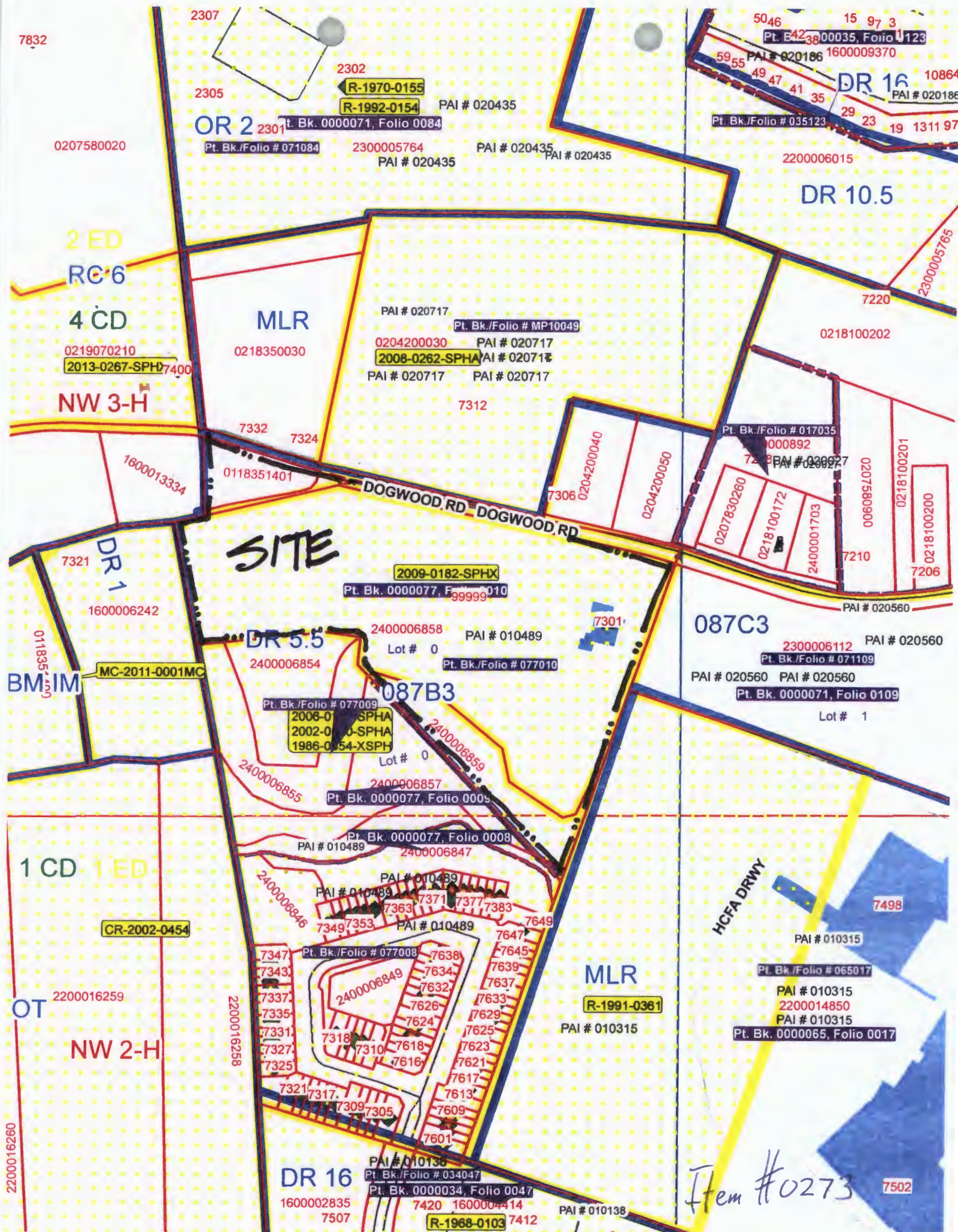
The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comments.

Any vegetation removed within an RTA buffer shall be replaced per Landscape Manual formulas. Decks protruding into prescribed setbacks shall be screened from adjacent properties with a Class 'A' screen and/or fencing.

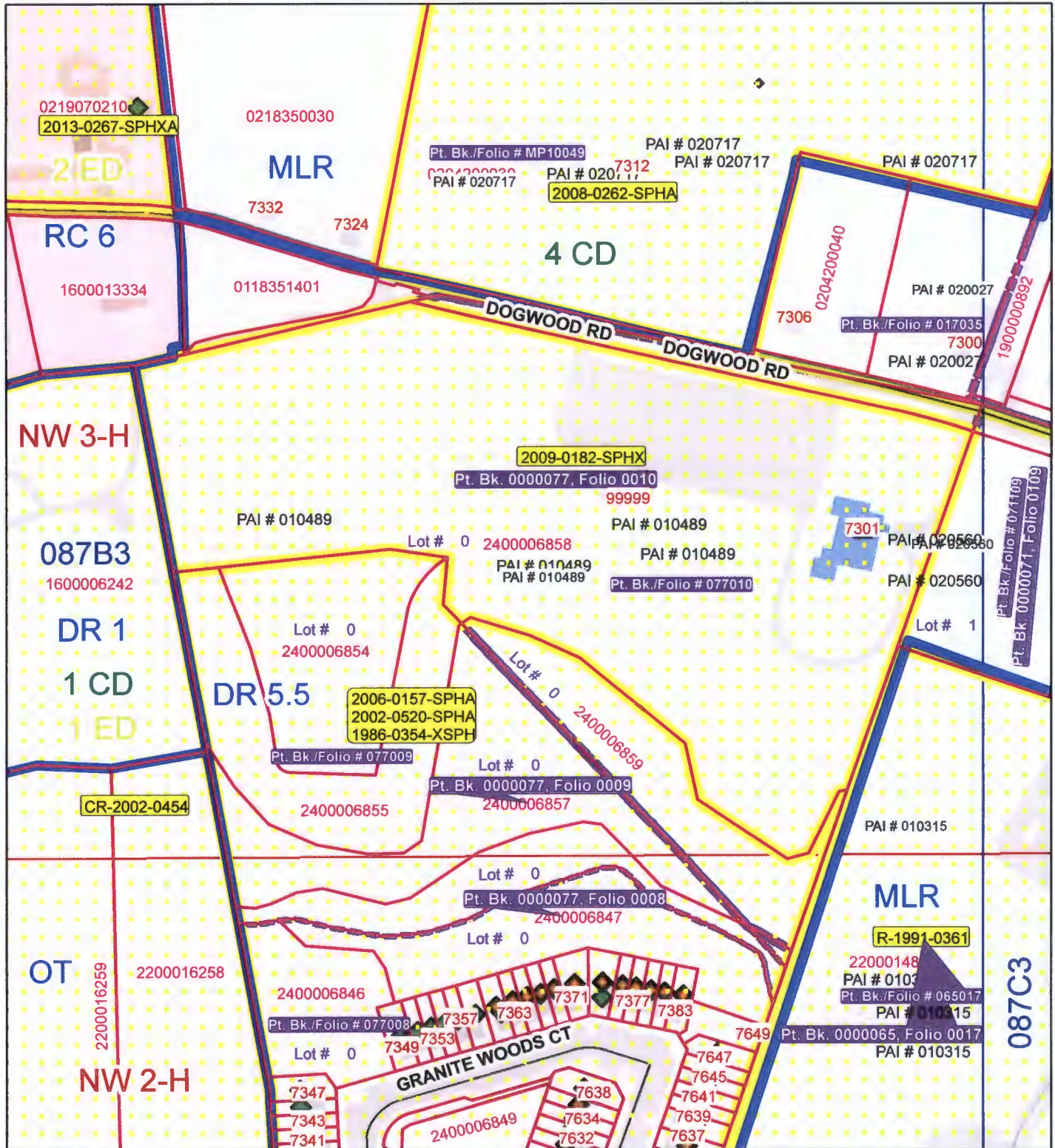
On item # 4, we advise that the request be denied for lots number 29 – 33, because the proposed deck will encroach into the County's drainage and utility easement, containing a storm drain pipe.

* * * * *

DAK:CEN
cc:file



7301 Dogwood Road



Publication Date: 5/26/2015



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



0 50 100 200 300 400 Feet

1 inch = 200 feet

Item # 0273

COORDINATE LIST		
POINT	NORTH	EAST
273	602775.5802	1377617.4985
275	602747.1219	1377737.0012
276	602823.6946	1378292.7648
278	602592.5146	1378405.0653
402	602785.4466	1377660.2861
403	602830.0873	1378415.1458
501	602686.4630	1377231.0000
844	601838.7511	1378142.6514
845	602348.9213	1377653.0550
848	602395.0838	1377284.8067

P. 625
JEFFREY L. STIRN
DEBORAH JEAN STIRN
8692 / 719

MARYLAND STATE GRID MERIDIAN 1883

P. 571
ELIZABETH A. PARHAM
9796 / 393
1600006242

NOTE:
PARCEL "A" IS TO BE RETAINED BY THE CURRENT OWNER AND IS RESERVED FOR FUTURE DEVELOPMENT.

CURVE DATA				
CURVE	ARC	RADIUS	TANGENT	CHORD
C1	116.80'	1115.00'	58.35'	05'59"30"
C2	122.85'	4030.00'	61.43'	01'44"40"
C3	81.73'	63.39'	33.57'	35'54"31"
C4	128.76'	126.24'	70.81'	58'26"11"
C5	111.29'	131.83'	59.20'	49'22"01"
C6	44.57'	30.00'	17.55'	85'07"03"
C7	28.36'	25.00'	15.32'	64'59"34"
C8	38.74'	87.28'	26.05'	54'27"29"
C9	83.04'	113.57'	43.47'	41'53"41"
C10	17.95'	87.28'	9.01'	11'47"05"
C11	21.55'	26.47'	11.41'	46'38"32"
C12	46.92'	65.82'	23.64'	39'58"27"
C13	38.99'	117.93'	20.19'	19'25"45"
C14	25.54'	28.42'	13.70'	51'29"07"
C15	64.98'	48.66'	38.37'	54'28"16"
C16	25.44'	20.43'	14.67'	71'20"35"
C17	21.50'	30.20'	11.33'	40'47"21"
C18	62.74'	1575.05'	31.37'	02'18"56"
C19	118.34'	127.42'	63.82'	53'12"37"
C20	30.14'	257.78'	15.08'	6'41"58"
C21	106.38'	216.38'	54.29'	28'10"08"
C22	18.97'	23.98'	8.86'	40'33"12"
C23	15.52'	12.75'	7.47'	60'43"58"
C24	72.92'	50.00'	44.87'	83'32"58"
C25	15.94'	31.13'	8.15'	29'20"30"
C26	22.62'	31.13'	12.01'	42'10"40"
C27	33.16'	36.63'	17.82'	51'52"31"
C28	94.52'	111.83'	50.28'	48'24"49"
C29	54.70'	67.85'	28.94'	46'11"40"
C30	54.92'	108.03'	28.07'	29'07"42"

NOTE: THE OPEN SPACE WILL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION

DENSITY CALCULATIONS				
DESCRIPTION	PLAT 1 OF 3	PLAT 2 OF 3	PLAT 3 OF 3	TOTAL
AREA GROSS	9.74 AC.	5.88 AC.	12.85 AC.	28.47 AC.
NET	9.74 AC.	5.88 AC.	12.79 AC.	28.41 AC.
ZONING DR-5.5	9.59	5.71 AC.	12.39 AC.	27.69 AC.
DR-16	0.15 AC.	0.00 AC.	0.00 AC.	0.15 AC.
RC-6	0.00 AC.	0.17 AC.	0.40 AC.	0.57 AC.
DWELLING UNITS ALLOWED	5,5X9.59=52.74 16X0.15=2.40 55.14	5,5X5.71=31.40 55.14	5,5X12.39=68.15 68.15	154.69
DWELLING UNITS PROPOSED	84 UNITS	0	0	84 UNITS
OPEN SPACE REQUIRED	ACTIVE 84X850=54600 SF PASSIVE 84X350=29400 SF TOTAL 84000 SF	0	0	84000 SF
OPEN SPACE PROVIDED	PASSIVE=22378 SF ACTIVE=0 SF	PASSIVE=0 SF ACTIVE=63008 SF	0	TOTAL = 85386 SF
PARKING SPACES REQUIRED	55 STANDARD=127 25 GARAGE=76 203 SPACES	0	0	203 SPACES
PARKING SPACES PROVIDED	203 SPACES	0	0	203 SPACES

DESIGN AND DRAWING BASED ON STATIONS:

STATION	NORTHING	EASTING	ELEV.
G196	624053.010	1392252.580	486.32
SAUTER	604354.274	1375168.679	462.31

MARYLAND COORDINATE SYSTEM:
HORIZONTAL = NAD 83
VERTICAL = NAD 83

P.W.A. COMPLETED:

FINAL PLAT/P.D.M.

REC. & PARKS:

P.D.M.

DEV. DESIGN

STREETS, NUMBERING:

ASSESSMENTS:

REAL ESTATE:

OWNERS CERTIFICATE:

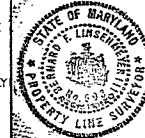
THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, HEREBY CERTIFIES THAT TO THE BEST OF HIS KNOWLEDGE THE REQUIREMENT OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INsofar AS SAME CONCERNS THE MAKING OF THE PLAT AND SETTING OF THE MARKERS.

George W. Helfrich 1/8/04
DATE

SURVEYORS CERTIFICATE:

THE UNDERSIGNED, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND PARTICULARLY INsofar AS SAME CONCERNS THE MAKING OF PLAT AND SETTING OF MARKERS.

Bernard F. Unsenmeyer III 1/6/04
DATE



DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Director

APPROVED BY DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT PURSUANT TO SECTION 26-215(c).

BALTIMORE COUNTY CODE

Director

DATE

DEVELOPER

DOGWOOD LIMITED PARTNERSHIP
BY: SECURITY DEVELOPMENT LLC
8480 BALTIMORE NATIONAL PIKE
P.O. BOX 417
ELICOTT CITY, MARYLAND 21041
(410) 485-4244

COMPUTED BY: MCM

CHECKED BY: BFL

DRAWN BY: MCM

P.N.: 02300

GEORGE HELFRICH PROPERTY

1ST ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT

BALTIMORE COUNTY MARYLAND

SCALE: 1"=50'

JANUARY 6, 2004

D. S. THALER & ASSOCIATES, INC.

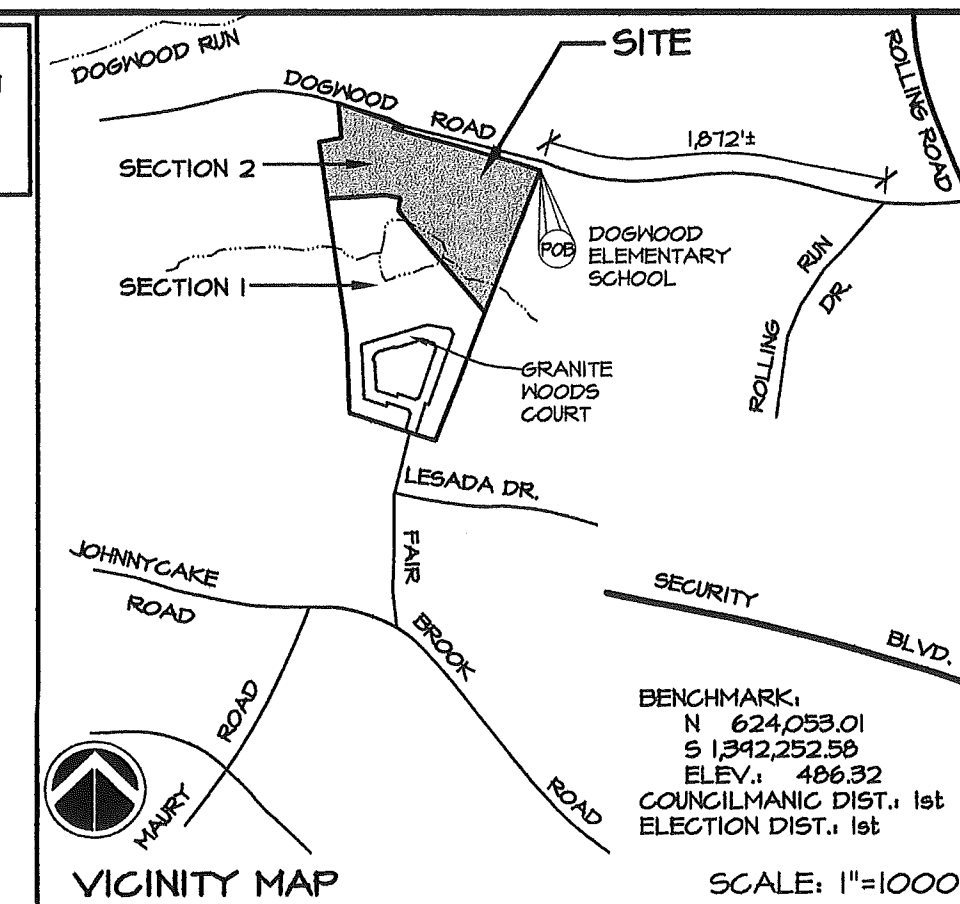
7115 AMBASSADOR ROAD, P.O. BOX 47428
BALTIMORE, MD 21244-7428
(410) 944-3647

CIVIL ENGINEERS - SITE PLANNERS - LANDSCAPE ARCHITECTS - SURVEYORS

15.38
15.40
15.42
15.44
15.46
15.48
15.50
15.52
15.54
15.56
15.58
15.60
15.62
15.64
15.66
15.68
15.70
15.72
15.74
15.76
15.78
15.80
15.82
15.84
15.86
15.88
15.90
15.92
15.94
15.96
15.98
16.00

DEVELOPMENT PLAN, SCHEMATIC
LANDSCAPE PLAN AND PLAT TO
ACCOMPANY ZONING PETITION

HELPER - SECTION 2



VARIANCE REQUESTS:

BUILDING SETBACKS

1. TO ALLOW A MINIMUM SIDE BUILDING FACE TO SIDE BUILDING FACE SETBACK OF 20 FEET IN LIEU OF THE 25 FOOT SETBACK REQUIRED BY BCZR SECTION 1801.2.C.1.c.
2. TO ALLOW A MINIMUM SIDE BUILDING FACE SETBACK TO PRIVATE ROAD AND/OR A PUBLIC RIGHT-OF-WAY OF 10 FEET IN LIEU OF THE 25 FOOT SETBACK REQUIRED BY BCZR SECTION 1801.2.C.1.c.
3. TO ALLOW A MINIMUM BUILDING FACE SETBACK OF 25 FEET TO TRACT BOUNDARY OR LOT LINE IN LIEU OF THE 30 FOOT SETBACK REQUIRED BY BCZR SECTION 1801.2.C.1.c.

DECKS

1. TO A LAMP UP TO A 12 FOOT DEEP DECK TO EXTEND INTO THE REQUIRED REAR YARD, WHICH WILL EXCEED THE 25% MAXIMUM PROJECTION PERMITTED BY BCZR SECTION 301.I.A.
- RTA:
5. TO ALLOW A COMMUNITY IDENTIFICATION SIGN WITHIN THE 50 FOOT RTA BUFFER REQUIRED BY BCZR SECTION 190.I.B.1.B.2.
 6. TO ALLOW GRADING AND REMOVAL OF EXISTING VEGETATION WITHIN THE 50 FOOT BUFFER REQUIRED BY BCZR SECTION 190.I.B.1.B.2.
 7. TO ALLOW A DECK TO EXTEND INTO THE 75 FOOT RTA SETBACK REQUIRED BY BCZR SECTION 190.I.B.1.B.2.

TOWER REQUIREMENTS

8. TO ALLOW THE EXISTING WIRELESS TELECOMMUNICATIONS TOWER ON A 2.3+ ACRE LOT IN LIEU OF THE REQUIRED 3 ACRE MINIMUM LOT SIZE REQUIRED BY BCZR SECTION 426.9.C.2.

ALTERNATE 'A'							ALTERNATE 'B'						
VARIANCE REQUEST							VARIANCE REQUEST						
LOT	1	2	3	4	5	7	LOT	1	2	3	4	5	6
1				•			32			•	•		
2				•			33			•	•		
3				•			34						
4							35						
5	•			•			36				•		
6	•			•			37						
7							38						
8				•			39						
9				•			40		•				
10							41				•		
11							42				•		
12							43						
13				•			44						
14				•			45				•		
15	•						46						
16	•						47			•	•		
17				•			48			•	•		
18							49			•	•		
19				•			50		•				
20							51		•	•	•		
21	•			•			52				•		
22	•			•			53				•		
23				•			54				•		
24				•			55				•		
25				•			56		•				
26				•			57		•		•		
27	•			•			58				•		
28	•			•			59				•		
29				•			60				•		
30				•			61				•		
31				•			62						

SPECIAL HEARING REQUEST

TO AMEND THE SPECIAL EXCEPTION AREA APPROVED IN CASE NO. 2009-0182-SPH FOR THE EXISTING WIRELESS TELECOMMUNICATIONS TOWER.

HEARING OFFICERS HEARING AND ZONING OFFICERS HEARING TO BE COMBINED

PROJECT NAME:
HELFRICH - SECTION 2

REVISIONS:

PLAN TITLE:
DEVELOPMENT PLAN, SCHEMATIC
LANDSCAPE PLAN AND PLAT TO
ACCOMPANY ZONING PETITION

PROJECT MANAGER: JAN COOK
COUNCILMANIC DIST.: 1st
ELECTION DIST.: 1st
PAI NUMBER: 01-0489
CIM: 6.23.2014
ZONING CASE: 2015-0273-SPHA

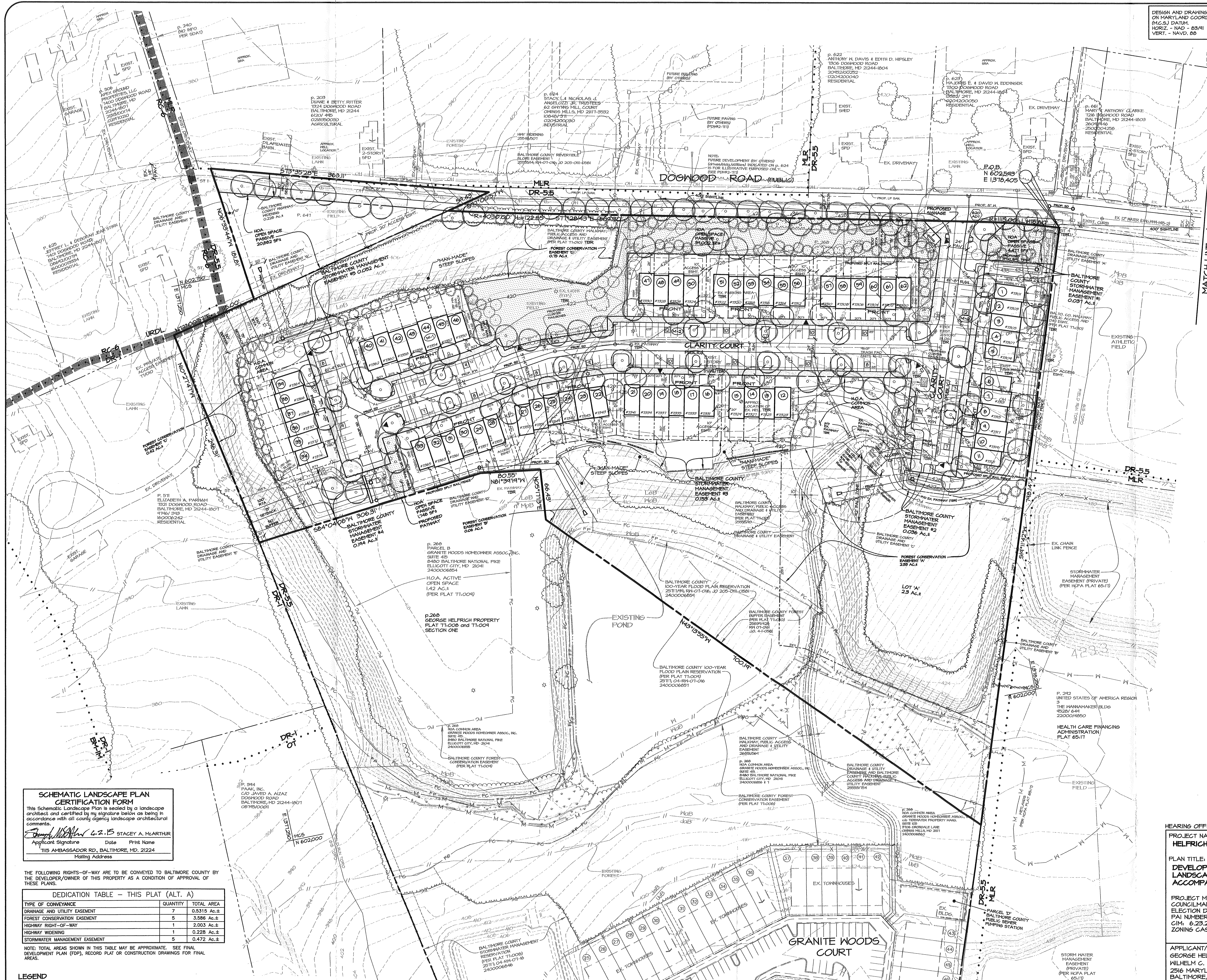
APPLICANT/ OWNER:
GEORGE HELFRICH
WILHELM C. HELFRICH
2516 MARYLAND AVE.
BALTIMORE, MD. 21218

DSThaler & ASSOCIATES, INC.

CIVIL AND ENVIRONMENTAL ENGINEERS, SURVEYORS
LANDSCAPE ARCHITECTS & LAND PLANNERS

7115 AMBASSADOR ROAD
P.O. BOX 41428
BALTIMORE, MARYLAND 21244-1428
410-944-3641 www.dsthaller.com

DATE: 4.15.15
SCALE: 1"=50'
C.I.: 2'
PROJ. NO.: 38
SHEET 1 OF



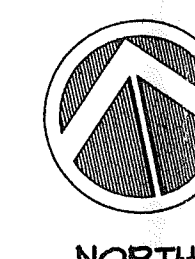
PLAN - ALTERNATE 'A'
SCALE: 1"=50'

MODIFICATION OF STANDARDS.

- (M-1)** TO APPROVE A MODIFICATION OF STANDARDS TO ALLOW UP TO 7 TOWNHOUSE UNITS IN A ROW IN LIEU OF THE MAXIMUM 6 UNITS AS PERMITTED BY BGCZ SECTION 504.2 AND CNDP, DIVISION II, SECTION A, pp. 28, 30.
- (M-2)** TO APPROVE A MODIFICATION OF STANDARDS TO ALLOW UP TO 12 PARKING SPACES IN A ROW WITHOUT A LANDSCAPE BUFFER IN LIEU OF THE MAXIMUM 8 SPACES IN A ROW AS PERMITTED BY BGCZ SECTION 504.2 AND CNDP, DIVISION II, SECTION A, pp. 28, 30.

PUBLIC WORKS WAIVER REQUEST

1. EXTEND 8" WATER TO WEST IN LIEU OF 12" WATER (DODSWOOD ROAD).
2. PERMISSION TO USE GRINDER PUMPS FOR ALL UNITS.
3. PERMISSION TO DIVERT SANITARY SEWER DRAINAGE AREA
4. PERMISSION TO CONSTRUCT A LOW PRESSURE SEWER SYSTEM OUTSIDE THE PAVED ROADWAY.



NORTH
MCS

145

[illegible]

**SCHEMATIC LANDSCAPE PLAN
CERTIFICATION FORM**

This Schematic Landscape Plan is sealed by a landscape architect and certified by my signature below as being in accordance with all county agency landscape architectural comments.

 4.2.15 STACEY A. MCARTHUR

Applicant Signature	Date	Print Name
7115 AMBASSADOR RD., BALTIMORE, MD. 21224		
Mailing Address		

THE FOLLOWING RIGHTS-OF-WAY ARE TO BE CONVEYED TO BALTIMORE COUNTY BY THE DEVELOPER/OWNER OF THIS PROPERTY AS A CONDITION OF APPROVAL OF THESE PLANS.

DEDICATION TABLE - THIS PLAT (ALT. A)		
TYPE OF CONVEYANCE	QUANTITY	TOTAL AREA
DRAINAGE AND UTILITY EASEMENT	7	0.5315 Ac. ±
FOREST CONSERVATION EASEMENT	5	3.586 Ac. ±
HIGHWAY RIGHT-OF-WAY	1	2.003 Ac. ±
HIGHWAY WIDENING	1	0.228 Ac. ±
STORMWATER MANAGEMENT EASEMENT	5	0.472 Ac. ±

NOTE: TOTAL AREAS SHOWN IN THIS TABLE MAY BE APPROXIMATE. SEE FINAL DEVELOPMENT PLAN (FDP), RECORD PLAT OR CONSTRUCTION DRAWINGS FOR FINAL AREAS.

LEGEND

- | | | | | | |
|--|----------------|--|-------------------------|--|-------------------------------|
| | TRACT BOUNDARY | | ROAD | | SOILS LINE |
| | EASEMENT | | STORM DRAIN | | 25% SLOPES |
| | INDEX CONTOUR | | TREES | | → EXISTING FRONT ORIENTATION |
| | INTER. CONTOUR | | UTILITY POLE WITH LIGHT | | SPECIMEN TREE |
| | ZONING LINE | | UTILITY POLE | | ENVIRONMENTAL ESMT. (ON-SITE) |

SOILS CHART

SYMBOL	NAME	MOVES IV BASEMENT	MOVES IVO BASEMENT	STREET & PARKING LOTS	AGRICULTURAL CAPABILITY	KU FACTOR	SEPTIC RESERVE AREA
Jab	Jackdani silt loam, 3 to 8 percent slopes	VERY LIMITED	VERY LIMITED	VERY LIMITED	2a	0.48	VERY LIMITED
LaB	Legone silt loam, 3 to 8 percent slopes	NOT LIMITED	SOMEWHAT LIMITED	VERY LIMITED	2a	0.62	VERY LIMITED
LaC	Legone silt loam, 8 to 15 percent slopes	SOMEWHAT LIMITED	SOMEWHAT LIMITED	VERY LIMITED	2a	0.62	VERY LIMITED
MaB	Mud Lucena silt loam, 3 to 8 percent slopes	VERY LIMITED	SOMEWHAT LIMITED	SOMEWHAT LIMITED	2a	0.91	VERY LIMITED
K	Katler	NOT RATED	NOT RATED	NOT RATED	—	—	NOT RATED
Ma	Matching silt loam, 3 to 8 percent slopes	VERY LIMITED	VERY LIMITED	VERY LIMITED	5a	0.92	VERY LIMITED

GENERAL NOTES

1. DEVELOPMENT NAME: HELFRICH-SECTION 2

2. APPLICANT / OWNER: GEORGE HELFRICH
WILHELM C. HELFRICH
2516 MARYLAND AVE.
BALTIMORE, MD 21218

3. OWNERS & PROPERTY REFERENCES:

TAX ACCOUNT #	TAX MAP GRID	PARCEL GRID	DEED	ADG MAP	HELD SINCE
2400006858	61/22	266	31549/021	HAP 32	1974
010351401	61/22	641	32000/391	6rd J-1	1924

4. PLAN PREPARED BY:

D.S. Thaler & Associates, Inc.
1115 Ambassador Road
P.O. Box 41428
Baltimore, Maryland 21244
Attn: Stacey A. McArthur, R.L.A.
(410) 444-3647

5. PROPERTY INFORMATION:

Boundary: D.S. Thaler & Associates, Inc., (February, 2014).
Topography: D.S. Thaler & Associates, Inc., (2003 & 2004) and 615 TLE 08/103

Utilities: Baltimore County Key Map (L-5E) Baltimore County Design Planning Notes

Zoning: Baltimore County 200 Scale 2012 Zoning Map, 615 TLE No. 08/103

Soils: U.S.D.A. Web Soil Survey (Accessed, 10/10/13)

Wetlands: American Land Concepts

Floodplain: There is a Riverine Floodplain Reservation on site. Per Plat T11010

D.S. Thaler & Associates, Inc., April 2002
Accepted for filing May 13, 2003

Final Forest Conservation Worksheet & Plan (FCR04-014) and Forest Buffer Protection Plan (FBP04-007)

D.S. Thaler & Associates, Inc., 2004
Approved: 3/1/2004

6. GENERAL INFORMATION:

Election District: 1
Census Tract: 40101
Councilmanic District: 1
Land Management Area: Employment CenterHaltershead, Patapsco River
Regional Planning District: 323 (Security)
Growth Tier: 1
Land Management Area: Employment Center

SCHOOL INFORMATION:

School Calendar: (2014-2015)

School District	Net State Rated Capacity (2014)	Projected # of pupils this project	Projected # of pupils for Approved Development	Total Projected Above Below	Capacity Above Below	Projected # of pupils as a Percentage of Capacity
Dogwood Elementary	612	610	0	620	8	101.31%
Windsor Hill Middle	1220	410	5	415	245	69.21%
Woodlawn High	2124	1412	6	1418	121	66.74%

* PER BALTIMORE COUNTY WEB SITE, ENROLLMENT DATA DATED 9/3/2015 (excluding projects over four years old, per comments from the Office of Planning)

7. SITE DATA:

A. Acreage

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

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DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
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DR-5.5	18.0	18.71	63 UNITS	62 UNITS	1 UNIT

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
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16. ENVIRONMENTAL:

a. There are no known critical areas, archaeological sites, endangered species, or hazardous materials on the site.

*As known to the applicant or applicants' engineer, preliminary sub-surface investigations by applicants' geophysical consultant did not produce any positive findings as defined by Section 7101 of the Environmental Article of the Annotated Code of Maryland, as from time to time amended.

b. A Hydrogeological Report and an Environmental Effects Report have been filed concurrently with this Development Plan.

c. A Final Forest Conservation / Forest Buffer Protection Plan and worksheet was approved for the entire tract on 3/1/2004.

d. "Any Forest Conservation Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas."

e. "There shall be no clearing, grading, construction or disturbances of vegetation in the Forest Conservation Easement except as permitted by Baltimore County Department of Environmental Protection and Sustainability."

f. "Any Forest Buffer Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas."

g. "There shall be no clearing, grading, construction or disturbances of vegetation in the Forest Buffer Easement except as permitted by Baltimore County Department of Environmental Protection and Sustainability."

h. This site does not lie within the limits of the Chesapeake Bay Critical Area. No additional information is requested by the Department of Environmental Protection and Sustainability to determine compliance with the Critical Area Local Protection Program pursuant to Section 33-2-202(a).

i. "There are no State or Federal records for rare, threatened or endangered species within the boundaries of the project site as delineated" per Lori A. Byrne, Environmental Review Coordinator, Wildlife Heritage Service, Maryland Department of Natural Resources.

j. Forest Buffer Variance approved June 5, 2002

k. Conditions of Approval: The following rules must appear on all plans submitted for this project: A variance was granted by the Baltimore County Department of Environmental Protection and Sustainability on 6/15/2015 to allow the applicant to remove three isolated specimen trees and impact 5,180 square feet of existing Forest Conservation Easement. Conditions were placed on this approval to mitigate the loss of forest resources.

l. As shown on the variance exhibit, the area for continued existing use shall be included in the Forest Buffer Easement (FBE), and is subject to protective covenants.

m. In order to protect water quality and the stabilization of the edge of the pond, there shall be no moving of the fringe wetlands located along the edge of the pond in the area of existing continued use.

n. The Forest Buffer Easement shall be permanently posted with "Forest Buffer - Do Not Disturb" signs as shown on the approved Forest Conservation Plan and/or Forest Buffer Protection Plan prior to issuance of any permits.

o. Alternatives Analysis Approved: August 20, 2002

p. To allow for Forest Buffer impacts for the proposed sewer and pedestrian pathway alignment and footbridge.

q. A variance to Baltimore County's Forest Conservation Law was granted by Baltimore County Department of Environmental Protection & Sustainability on March 15, 2015 to remove three isolated specimen trees and impact 5,180 square feet of existing Forest Conservation Easement. Conditions were placed on this approval to mitigate the loss of forest resources.

r. As shown on the variance exhibit, the area for continued existing use shall be included in the Forest Buffer Easement (FBE), and is subject to protective covenants.

s. In order to protect water quality and the stabilization of the edge of the pond, there shall be no moving of the fringe wetlands located along the edge of the pond in the area of existing continued use.

t. The Forest Buffer Easement shall be permanently posted with "Forest Buffer - Do Not Disturb" signs as shown on the approved Forest Conservation Plan and/or Forest Buffer Protection Plan prior to issuance of any permits.

u. Alternatives Analysis Approved: August 20, 2002

v. To allow for Forest Buffer impacts for the proposed sewer and pedestrian pathway alignment and footbridge.

w. A variance to Baltimore County's Forest Conservation Law was granted by Baltimore County Department of Environmental Protection & Sustainability on March 15, 2015 to remove three isolated specimen trees and impact 5,180 square feet of existing Forest Conservation Easement. Conditions were placed on this approval to mitigate the loss of forest resources.

x. As shown on the variance exhibit, the area for continued existing use shall be included in the Forest Buffer Easement (FBE), and is subject to protective covenants.

y. In order to protect water quality and the stabilization of the edge of the pond, there shall be no moving of the fringe wetlands located along the edge of the pond in the area of existing continued use.

z. The Forest Buffer Easement shall be permanently posted with "Forest Buffer - Do Not Disturb" signs as shown on the approved Forest Conservation Plan and/or Forest Buffer Protection Plan prior to issuance of any permits.

aa. Alternatives Analysis Approved: August 20, 2002

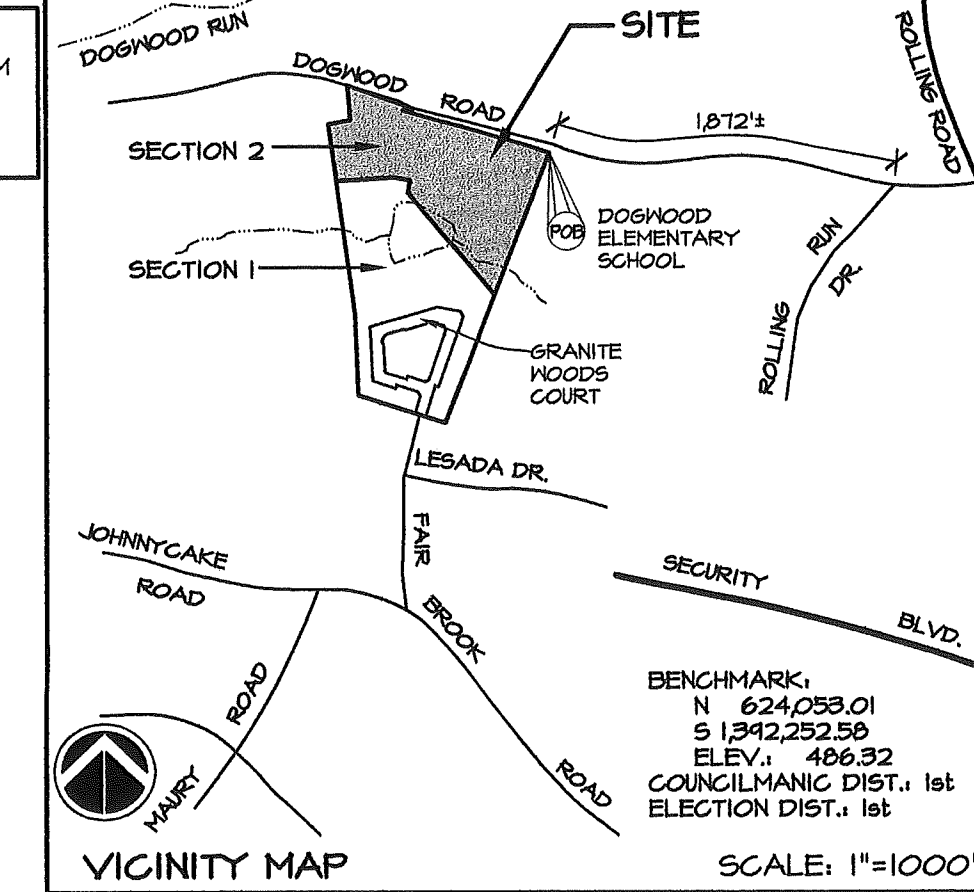
ab. To allow for Forest Buffer impacts for the proposed sewer and pedestrian pathway alignment and footbridge.

ac. A variance to Baltimore County's Forest Conservation Law was granted by Baltimore County Department of Environmental Protection & Sustainability on March 15, 2015 to remove three isolated specimen trees and impact 5,180 square feet of existing Forest Conservation Easement. Conditions were placed on this approval to mitigate the loss of forest resources.

ad. As shown on the variance exhibit, the area for continued existing use shall be included in the Forest Buffer Easement (FBE), and is subject to protective covenants.

ae. In order to protect water quality and the stabilization of the edge of the pond, there shall be no moving of the fringe wetlands located along the edge of the pond in the area of existing continued use.

DESIGN AND DRAWINGS ARE BASED
ON MARYLAND COORDINATE SYSTEM
(M.C.S.) DATUM:
HORIZ. - NAD - 83/91
VERT. - NAVD. 88



VARIANCE REQUESTS:

BUILDING SETBACKS:

1. TO ALLOW A MINIMUM SIDE BUILDING FACE TO SIDE BUILDING FACE SETBACK OF 20 FEET IN LIEU OF THE 25 FOOT SETBACK REQUIRED BY BCZR SECTION 1B01.B1.G.2.
2. TO ALLOW A MINIMUM SIDE BUILDING FACE SETBACK TO PRIVATE ROAD AND/OR A PUBLIC RIGHT-OF-WAY OF 10 FEET IN LIEU OF THE 25 FOOT SETBACK REQUIRED BY BCZR SECTION 1B01.B1.G.2.
3. TO ALLOW A MINIMUM BUILDING FACE SETBACK OF 25 FEET TO TRACT BOUNDARY OR LOT LINE IN LIEU OF THE 30 FOOT SETBACK REQUIRED BY BCZR SECTION 1B01.B1.G.2.

DECKS:

4. TO ALLOW UP TO A 12 FOOT DEEP DECK TO EXTEND INTO THE REQUIRED REAR YARD, WHICH WILL EXCEED THE 25% MAXIMUM PROJECTION PERMITTED BY BCZR SECTION 301.1.A.

RTA:

5. TO ALLOW A COMMUNITY IDENTIFICATION SIGN WITHIN THE 50 FOOT RTA BUFFER REQUIRED BY BCZR SECTION 1B01.B1.G.2.
6. TO ALLOW GRADING AND REMOVAL OF EXISTING VEGETATION WITHIN THE 50 FOOT RTA BUFFER REQUIRED BY BCZR SECTION 1B01.B1.G.2.
7. TO ALLOW A DECK TO EXTEND INTO THE 15 FOOT RTA SETBACK REQUIRED BY BCZR SECTION 1B01.B1.G.2.

TOWER REQUIREMENTS:

8. TO ALLOW THE EXISTING WIRELESS TELECOMMUNICATIONS TOWER ON A 2.31 ACRE LOT IN LIEU OF THE REQUIRED 3 ACRE MINIMUM LOT SIZE REQUIRED BY BCZR SECTION 426.6.A.2.
9. TO ALLOW RESIDENTIAL LOTS TO BE CREATED WITHIN 425 FEET OF THE EXISTING WIRELESS TELECOMMUNICATIONS TOWER IN LIEU OF MAINTAINING A 200 FOOT SETBACK REQUIRED BY BCZR SECTION 426.6.A.1.

ALTERNATE 'A'

VARIANCE REQUEST							VARIANCE REQUEST						
LOT	1	2	3	4	5	6	LOT	1	2	3	4	5	6
1	*	*	*	*	*	*	32	*	*	*	*	*	*
2	*	*	*	*	*	*	33	*	*	*	*	*	*
3	*	*	*	*	*	*	34	*	*	*	*	*	*
4	*	*	*	*	*	*	35	*	*	*	*	*	*
5	*	*	*	*	*	*	36	*	*	*	*	*	*
6	*	*	*	*	*	*	37	*	*	*	*	*	*
7	*	*	*	*	*	*	38	*	*	*	*	*	*
8	*	*	*	*	*	*	39	*	*	*	*	*	*
9	*	*	*	*	*	*	40	*	*	*	*	*	*
10	*	*	*	*	*	*	41	*	*	*	*	*	*
11	*	*	*	*	*	*	42	*	*	*	*	*	*
12	*	*	*	*	*	*	43	*	*	*	*	*	*
13	*	*	*	*	*	*	44	*	*	*	*	*	*
14	*	*	*	*	*	*	45	*	*	*	*	*	*
15	*	*	*	*	*	*	46	*	*	*	*	*	*
16	*	*	*	*	*	*	47	*	*	*	*	*	*
17	*	*	*	*	*	*	48	*	*	*	*	*	*
18	*	*	*	*	*	*	49	*	*	*	*	*	*
19	*	*	*	*	*	*	50	*	*	*	*	*	*
20	*	*	*	*	*	*	51	*	*	*	*	*	*
21	*	*	*	*	*	*	52	*	*	*	*	*	*
22	*	*	*	*	*	*	53	*	*	*	*	*	*
23	*	*	*	*	*	*	54	*	*	*	*	*	*
24	*	*	*	*	*	*	55	*	*	*	*	*	*
25	*	*	*	*	*	*	56	*	*	*	*	*	*
26	*	*	*	*	*	*	57	*	*	*	*	*	*
27	*	*	*	*	*	*	58	*	*	*	*	*	*
28	*	*	*	*	*	*	59	*	*	*	*	*	*
29	*	*	*	*	*	*	60	*	*	*	*	*	*
30	*	*	*	*	*	*	61	*	*	*	*	*	*
31	*	*	*	*	*	*	62	*	*	*	*	*	*

SPECIAL HEARING REQUEST:

TO AMEND THE SPECIAL EXCEPTION AREA APPROVED IN CASE NO. 2004-0182-SPH FOR THE EXISTING WIRELESS TELECOMMUNICATIONS TOWER.

HEARING OFFICERS HEARING AND ZONING OFFICERS HEARINGS TO BE COMBINED

PROJECT NAME:
HELFRICH - SECTION 2

REVISIONS:

PLAN TITLE:
**DEVELOPMENT PLAN, SCHEMATIC
LANDSCAPE PLAN AND PLAT TO
ACCOMPANY ZONING PETITION**

PROJECT MANAGER: JAN COOK
COUNCILMANIC DIST. 1st
ELECTION DIST. 1st
PAI NUMBER: 01-0484
CMA: 6.23.2014
ZONING CASE: 2015-0273-SPHA

APPLICANT / OWNER:
GEORGE HELFRICH
WILHELM C. HELFRICH
2516 MARYLAND AVE.
BALTIMORE, MD. 21218

DSThaler & ASSOCIATES, INC.
CIVIL AND ENVIRONMENTAL ENGINEERS, SURVEYORS,
LANDSCAPE ARCHITECTS & LAND PLANNERS
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
410-444-3641
www.dsthaler.com



DATE: 4.15.15
SCALE: 1"=50'
C.I.: 2'
PROJ. NO.: 3825
SHEET 1 OF 3

SCHEMATIC LANDSCAPE PLAN CERTIFICATION FORM

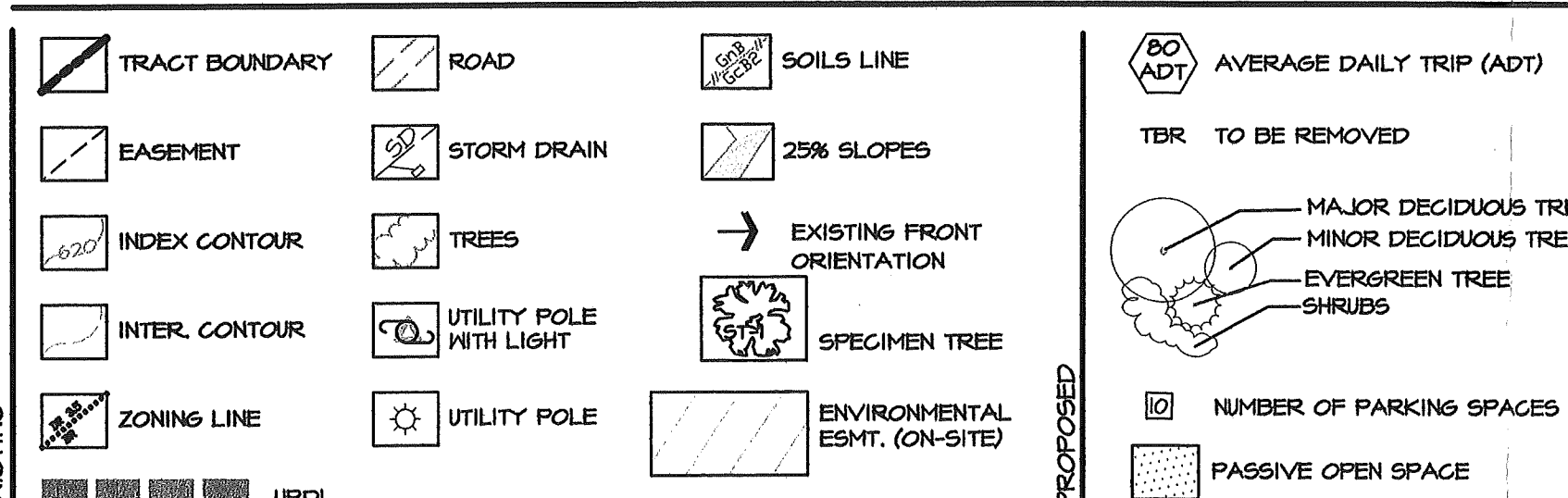
This Schematic Landscape Plan is sealed by a landscape architect and certified by my signature below as being in accordance with all county agency landscape architectural comments.

George Helfrich 4-2-15 STACEY A. MARTIN
Applicant Signature Date Print Name
7115 AMBASSADOR RD., BALTIMORE, MD. 21224
Mailing Address

DEDICATION TABLE - THIS PLAT (ALT. A)		
TYPE OF CONVEYANCE	QUANTITY	TOTAL AREA
DRAINAGE AND UTILITY EASEMENT	7	0.5315 AC.±
FOREST CONSERVATION EASEMENT	5	3.586 AC.±
HIGHWAY RIGHT-OF-WAY	1	2.003 AC.±
HIGHWAY WIDENING	1	0.228 AC.±
STORMWATER MANAGEMENT EASEMENT	5	0.472 AC.±

NOTE: TOTAL AREAS SHOWN IN THIS TABLE MAY BE APPROXIMATE. SEE FINAL DEVELOPMENT PLAN (FDP), RECORD PLAT OR CONSTRUCTION DRAWINGS FOR FINAL AREAS.

LEGEND



SOILS CHART									
SYMBOL	NAME	HOUSES IN BASEMENT	HOUSES W/O BASEMENT	PARKING LOTS	AGRICULTURAL CAPABILITY	(R) FACTOR	SEPTIC RESERVE AREA		
J3B	Jacksonville loam, 3 to 6 percent slopes	VERY LIMITED	VERY LIMITED	VERY LIMITED	2e	0.49	VERY LIMITED		
L4B	Laguna silt loam, 3 to 6 percent slopes	NOT LIMITED	SOMEWHAT LIMITED	VERY LIMITED	2e	0.52	VERY LIMITED		
L4C	Laguna silt loam, 6 to 15 percent slopes	NOT LIMITED	SOMEWHAT LIMITED	VERY LIMITED	3e	0.53	VERY LIMITED		
M4B	Mount Lucas silt loam, 3 to 6 percent slopes	VERY LIMITED	SOMEWHAT LIMITED	SOMEWHAT LIMITED	2e	0.51	VERY LIMITED		
N	Water	NOT RATED	NOT RATED	NOT RATED	---	---	NOT RATED		
N4B	Nicholsville silt loam, 3 to 6 percent slopes	VERY LIMITED	VERY LIMITED	VERY LIMITED	5u	0.52	VERY LIMITED		

(PRIME AND PRODUCTIVE SOILS CAPABILITY CLASS I, II OR III)

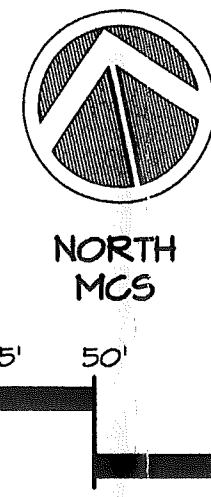
MODIFICATION OF STANDARDS:

- (M1) TO APPROVE A MODIFICATION OF STANDARDS TO ALLOW UP TO 1 TOWNHOUSE UNITS IN A ROW IN LIEU OF THE MAXIMUM 6 UNITS AS PERMITTED BY BCZR SECTION 504.2 AND CHDF, DIVISION II, SECTION A, PP. 28, 30.

- (M2) TO APPROVE A MODIFICATION OF STANDARDS TO ALLOW UP TO 12 PARKING SPACES IN A ROW WITHOUT A LANDSCAPE ISLAND IN LIEU OF THE MAXIMUM 10 SPACES IN A ROW AS PERMITTED BY BCZR SECTION 504.2 AND CHDF, DIVISION II, SECTION A, PP. 28, 30.

PUBLIC WORKS WAIVER REQUEST

1. EXTEND 8" WATER TO WEST IN LIEU OF 12" WATER (DOSHOOD ROAD).
2. PERMISSION TO USE GRINDER PUMPS FOR ALL UNITS.
3. PERMISSION TO DIVERT SANITARY SEWER DRAINAGE AREA.
4. PERMISSION TO CONSTRUCT A LOW PRESSURE SEWER SYSTEM OUTSIDE THE PAVED ROADWAY.



#2015-0273-SPHA

GENERAL NOTES

1. DEVELOPMENT NAME: HELFRICH-SECTION 2

2. APPLICANT / OWNER: GEORGE HELFRICH
WILHELM C. HELFRICH
2516 MARYLAND AVE.
BALTIMORE, MD 21218

3. OWNERS & PROPERTY REFERENCES:

TAX ACCOUNT #	TAX MAP GRID	DEED	ADC MAP	HELD SINCE
2400006856	8/1/22	268	31584/081	MAP 32
018351401	8/1/22	641	32800/391	6rd J-T
				H29

4. PLAN PREPARED BY:

D.S. Thaler & Associates, Inc.
1115 Ambassador Road
P.O. Box 41428
Baltimore, Maryland 21244
Attn: Stacey A. McArthur, R.L.A.
(410) 944-3641

5. PROPERTY INFORMATION:

Boundary: D.S. Thaler & Associates, Inc. (February 2014).
Topography: D.S. Thaler & Associates, Inc. (2003 & 2004) and GIS Title 08103
Utilities: Baltimore County Key Map (L-SE) Baltimore County Design Drafting as noted.
Zoning: Baltimore County Scale 2012 Zoning Map, GIS Title No. 08103
Solls: U.S.D.A. Web Soil Survey (Accessed, 10/18/13)
Wetlands: American Land Concepts
Floodplain: There is a Riverine Floodplain Reservation on site. Per Plat T11010
D.S. Thaler & Associates, Inc. April 2002
Accepted for Filing May 15, 2003
Final Forest Conservation Worksheet & Plan (FC&O-014) and Forest Buffer Protection Plan (FBP&O-007).
D.S. Thaler & Associates, Inc. 2004
Approved: 3/1/2004

6. GENERAL INFORMATION:

Section District: Watershed, Patapsco River
Census Tract: 410501
Councilmanic District: 1st
Land Management Area: Employment Center

SCHOOL INFORMATION:

School Calendar: (2014-2015)

School District	Net State Rated Capacity (SAC)	Actual Enrollment Sept. 30th	Projected for this project	Projected for Approved Development	Total Projected Enrollment	Capacity Above/Below	Projected as a Percentage of SAC
Dogwood Elementary	610	610	10	0	620	10	101.31%
Pindar Hill Middle	720	470	5	0	475	245	65.97%
Woodlawn High	2124	1412	6	0	1422	707	66.74%

* PER BALTIMORE COUNTY WEB SITE, ENROLLMENT DATA, DATED 9.4.2015 (excluding projects over four years old, per comments from the Office of Planning)

7. SITE DATA:

Zone	Ac. (net)	Ac. (gross)	Units Allowed	Units Proposed	Remaining Density
DR-5.5	13.0	13.71 (820' x 30' = 0.17 AC) +2.3 AC (Cell Tower) 11.47 AC	69 UNITS	62 UNITS	1 UNIT

ALT.	Dwell. Type	Proposed	Parking Required	Parking Provided	Average Daily Trips
'A'	STANDARD TOWNHOUSE	62 UNITS	2 SPACES / UNIT = 124 sp +10% SPACES TOTAL = 143 sp	175 SPACES @ 620 ADT	10 ADT/UNIT @ 620 ADT
'B'	STANDARD 4 GARAGE TOWNHOUSE	35 STD. UNITS 27 GAR. UNITS	2 SPACES/STD. UNIT+5% GUEST +61 SPACES 2 SPACES/GAR. UNIT+30% GUEST +11 SPACES TOTAL: 152 SPACES	161 SPACES @ 620 ADT (10% MINIMUM DRIVE OFF SURFACES)	10 ADT/UNIT @ 620 ADT
CELL TOWER			0 (UNMANNED FACILITY)	0	-

C. Landscape requirements as specified in the Baltimore County Landscape Manual, adopted August 7, 2000, and as amended.

Note: Schematic Landscape Plan shown is preliminary in nature and is to show compliance with the Baltimore County Landscape Manual. The Schematic Landscape Plan is subject to a Final Landscape Plan. The Final Landscape Plan shall be at 30 scale or greater.

1. Planting Unit (P.U.) =
1. major deciduous tree (2-2 1/2" cal.) or 500 SF. of ground cover or 10 herbaceous/perennial (1 gal.)*
2. minor deciduous tree (1-1 1/2" cal.) or 20 herbaceous/perennial (1 gal.)*
3. evergreen tree (6" ht.) or 1 shrub or 10 herbaceous/perennial (1 gal.)*
4. class A1 24"-30" ht. class B 18" ht.
*To meet Class D screening requirements only.

NOTE: Root Barriers will be required where street trees are within 6' of sidewalk

LANDSCAPE REQUIREMENTS	ALTERNATE 'A'		ALTERNATE 'B'	
	REQUIRED	PROPOSED	REQUIRED	PROPOSED
STREET FRONTAGE: (Condition A) Interior Roads @ 1/1600 L.F. Adjacent Road @ 1/1600 L.F.	185 LF± = 4.3 P.U. 128 LF± = 28.1 P.U.	4.3 P.U. 28.1 P.U.	420 LF± = 21 P.U. 128 LF± = 28.1 P.U.	21 P.U. 28.1 P.U.
PARKING: (Condition B) @ 1/1600 SPACES	175 sp. = 15 P.U.	15 P.U.	107 sp. = 9 P.U.	9 P.U.
STORMWATER MANAGEMENT: (Condition I) @ 1/1600 LF	1018 LF± = 73.2 P.U.	73.2 P.U.	1018 LF± = 73.2 P.U.	73.2 P.U.
REAR 4 SIDE YARD SCREENING: (Condition H) @ 1/1600 LF	180 LF± = 74 P.U.	74 P.U.	180 LF± = 74 P.U.	74 P.U.
REAR YARD SCREENING OF EXISTING DWELLINGS AND NEW DEVELOPMENT PER SECTION 260.2.4(B)(2): @ 1/1600 LF	140 LF± = 4.5 P.U.	4.5 P.U.	140 LF± = 4.5 P.U.	4.5 P.U.
OPEN SPACE @ 1/1600 SF OF PROVIDED OPEN SPACE	43580/1500 = 29 P.U.	29 P.U.	44841/1500 = 30 P.U.	30 P.U.
RTA BUFFER @ 1/1600 SF (MINIMUM OF 30% EVERGREEN AND 50% MAJOR DECIDUOUS)	15,061/400 = 37.7 P.U. 20,066/400 = N/A (EX. FOREST)	37.7 P.U.	15,061/400 = 37.7 P.U. 20,066/400 = N/A (EX. FOREST)	37.7 P.U.
TOTAL:	280.8 P.U.	280.8 P.U.*	281.2 P.U.	281.2 P.U.*

*Credit for existing vegetation may be applied for at time of Final Landscape plan submittal.

D. Open Space:

All Open Space shall be in compliance with the Local Open Space Manual, Latest Edition.

Open Space Required:
40,300 SF Active and
21,700 SF Passive
62,000 SF (1.4 AC) Total
(or a combination thereof as specified in Section II.D.3.)

Open Space Provided:
Alternate 'A': 0 SF Active and 66,104 SF Passive
Alternate 'B': 0 SF Active and 67,180 SF Passive
Hwy Requested and Fee in lieu to be paid.

H.O.A. open space shall be owned and maintained by a Homeowners Association.

a. No utility, whether public or private, including but not limited to, telephone, cable television, gas and electric, water, sewer, and storm drains shall be placed or constructed on or within the areas labeled as open space without prior written consent from Baltimore County Department of Recreation and Parks.
b. The design, construction and installation of all amenities shown on the development plan shall be the responsibility of the developer.
c. Temporary open space boundary markers, tree protection devices and four foot high snow fencing, or approved equivalent, shall be installed prior to any clearing or grading.
d. Within the area shown as Open Space disturbance beyond that which is shown on the Development Plan shall not be allowed with prior approval from the Department of Recreation and Parks.

8. UTILITIES:
Utilities shall be public unless noted otherwise.

9. USE:
Existing use: Business and cellular communications
Proposed use: Residential and cellular communications

10. STORMWATER MANAGEMENT:
Stormwater management will conform to Baltimore County Standards and the 2000 Maryland Stormwater Management Design Manual
Stormwater management facilities shall be owned and maintained by Baltimore County.
Preliminary hydrology computations have been provided with the filing of the Development Plan.
The Hydrology Report verifies that the outfall is suitable based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Sustainability.

11. VEGETATION:
Existing vegetation will be retained in areas not needed for construction or grading.
Existing vegetation consists of forest, scrub and lawn.

12. SIGHT LINES:
Proposed sight lines are shown on the plan and will be cleared and graded and kept permanently clear to ensure unobstructed sight at all times.

13. STORAGE TANKS:
There are no known underground storage tanks on site.

14. WELL & SEPTIC:
There is an existing well on site.
Existing well shall be field located, removed and backfilled by a licensed master well driller prior to zoning of the existing structures or extension of public utilities. A well abandonment report will be filed with Baltimore County Department of Environmental Protection and Sustainability (DEP).

This is an existing septic system located on site. Existing system must be abandoned and backfilled by a licensed septic system contractor prior to zoning of the existing structures or extension of public utilities.

15. LIGHTING:
Proposed lighting is shown as A. Lighting is schematic and subject to change.

16. ENVIRONMENTAL:

a. There are no known critical areas, archaeological sites, endangered species, or hazardous materials* on the site.

b. As known to the applicant or applicants' engineer preliminary sub-surface investigations by applicant's geotechnical consultant did not produce any positive findings as defined by Section 1-101 of the Environmental Article of the Annotated Code of Maryland, as from time to time amended.

c. A Hydrogeological Report and an Environmental Effects Report has been filed concurrently with this Development Plan.

d. A Final Forest Conservation / Forest Buffer Protection Plan and worksheet was approved for the entire tract on 3/1/2004.

e. "Any Forest Conservation Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas."

f. "There shall be no clearing, grading, construction or disturbances of vegetation in the Forest Conservation Easement except as permitted by Baltimore County Department of Environmental Protection and Sustainability."

g. "Any Forest Buffer Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas."

h. "There shall be no clearing, grading, construction or disturbances of vegetation in the Forest Buffer Easement except as permitted by Baltimore County Department of Environmental Protection and Sustainability."

i. This site does not lie within the limits of the Chesapeake Bay Critical Area. No additional information is requested by the Department of Environmental Protection and Sustainability to determine compliance with the Critical Area Local Protection Program pursuant to Section 35-2-2.2(a).

j. "There are no State or Federal records for rare, threatened or endangered species within the boundaries of the project site as delineated" per Lori A. Dyrus, Environmental Review Coordinator, Wildlife Heritage Service, Maryland Department of Natural Resources.

1. Forest Buffer Variance approved: June 5, 2002

2. Conditions of Approval: The following note must appear on all plans submitted for this project: "A variance was granted by the Baltimore County Department of Environmental Protection and Resource Management from Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains to allow the existing continued use of the pond and 4,256 sq. ft. of adjacent shoreline as active open space. The Forest Buffer Easement and building setback shown hereon are a reflective of the fact that this variance was granted. Conditions were placed on this variance to reduce water quality impacts. These conditions include but are not limited to posting permanent protective signage along the Forest Buffer Easement on-site."

3. As shown on the variance exhibit, the area for continued existing use shall be included in the Forest Buffer Easement (FBE), and is subject to protective covenants.

4. In order to protect water quality and the stabilization of the edge of the pond, there shall be no moving of the fringe wetlands located along the edge of the pond in the area of existing continued use.

5. The Forest Buffer Easement shall be permanently posted with "Forest Buffer - Do Not Disturb" signs as shown on the approved Forest Conservation Plan and/or Forest Buffer Protection Plan signed by the County Board of Appeals.

6. Alternatives Analysis Approved: August 20, 2002

7. To allow for Forest Buffer impacts for the proposed sewer and pedestrian pathway alignment and footbridge.

8. A variance to Baltimore County's Forest Conservation Law was granted by Baltimore County Department of Environmental Protection & Sustainability on March 13, 2015 to remove three isolated specimen trees and impact 5,148 square feet of existing Forest Conservation Easement. Conditions were placed on this approval to mitigate the loss of forest resources.

9. As shown on the variance exhibit, the area for continued existing use shall be included in the Forest Buffer Easement (FBE), and is subject to protective covenants.

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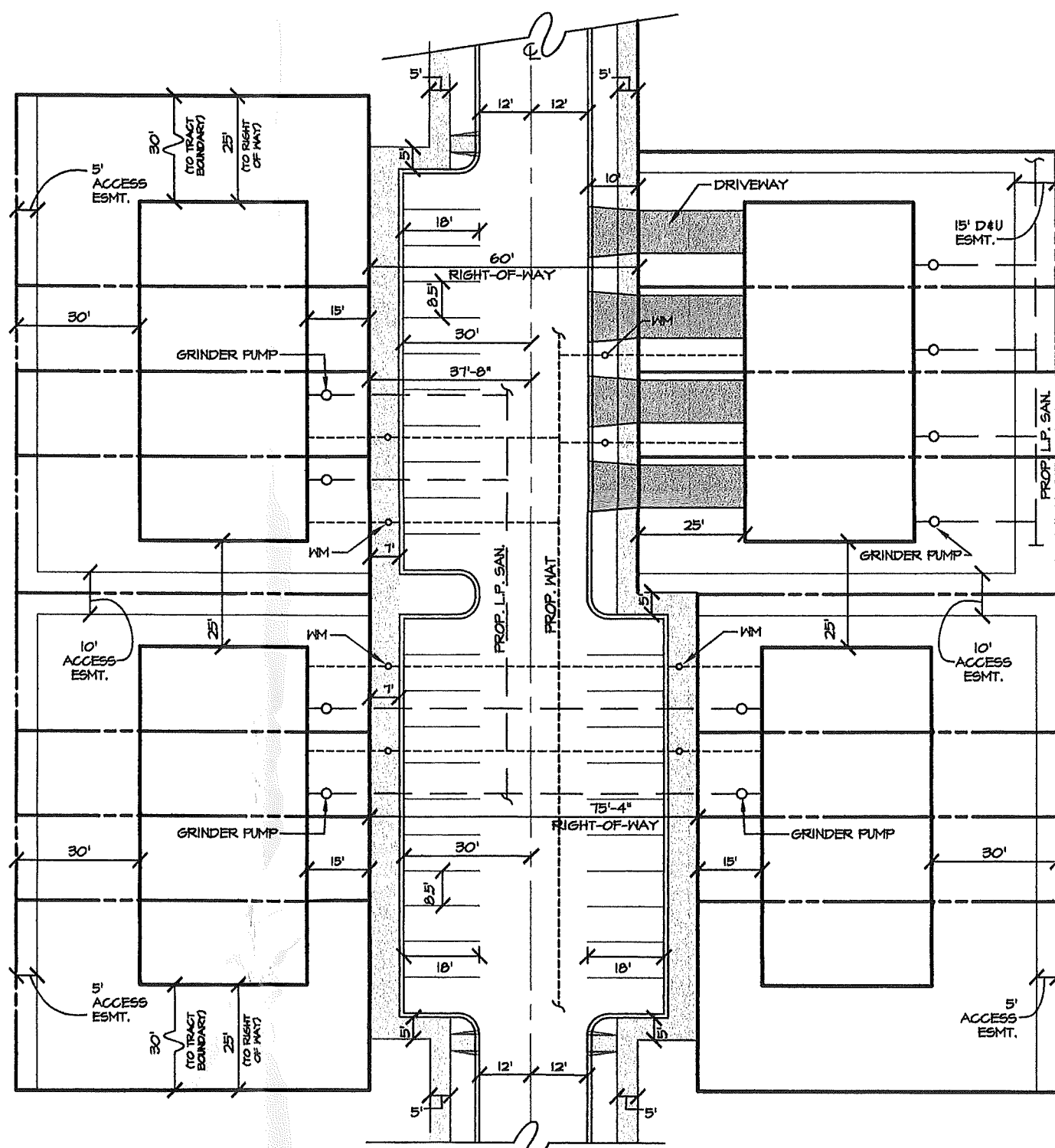
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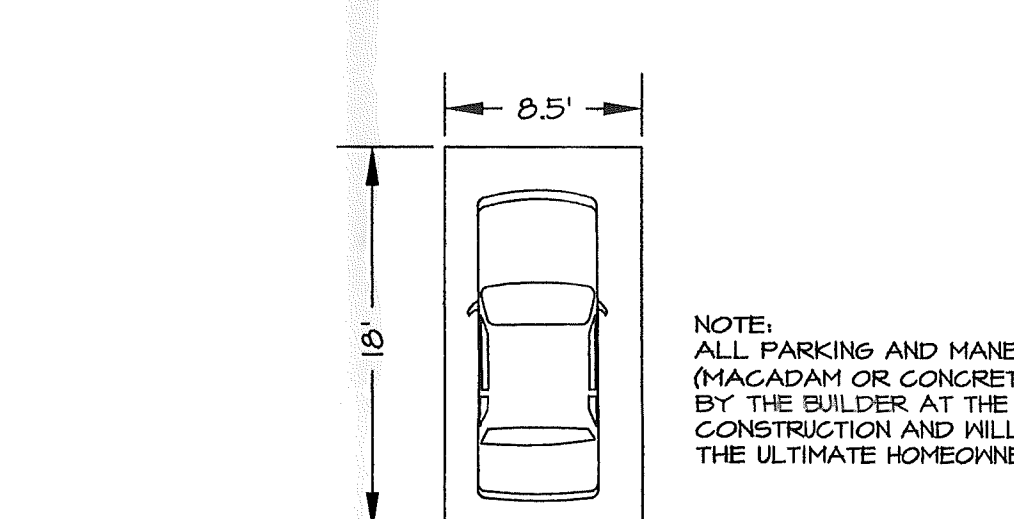
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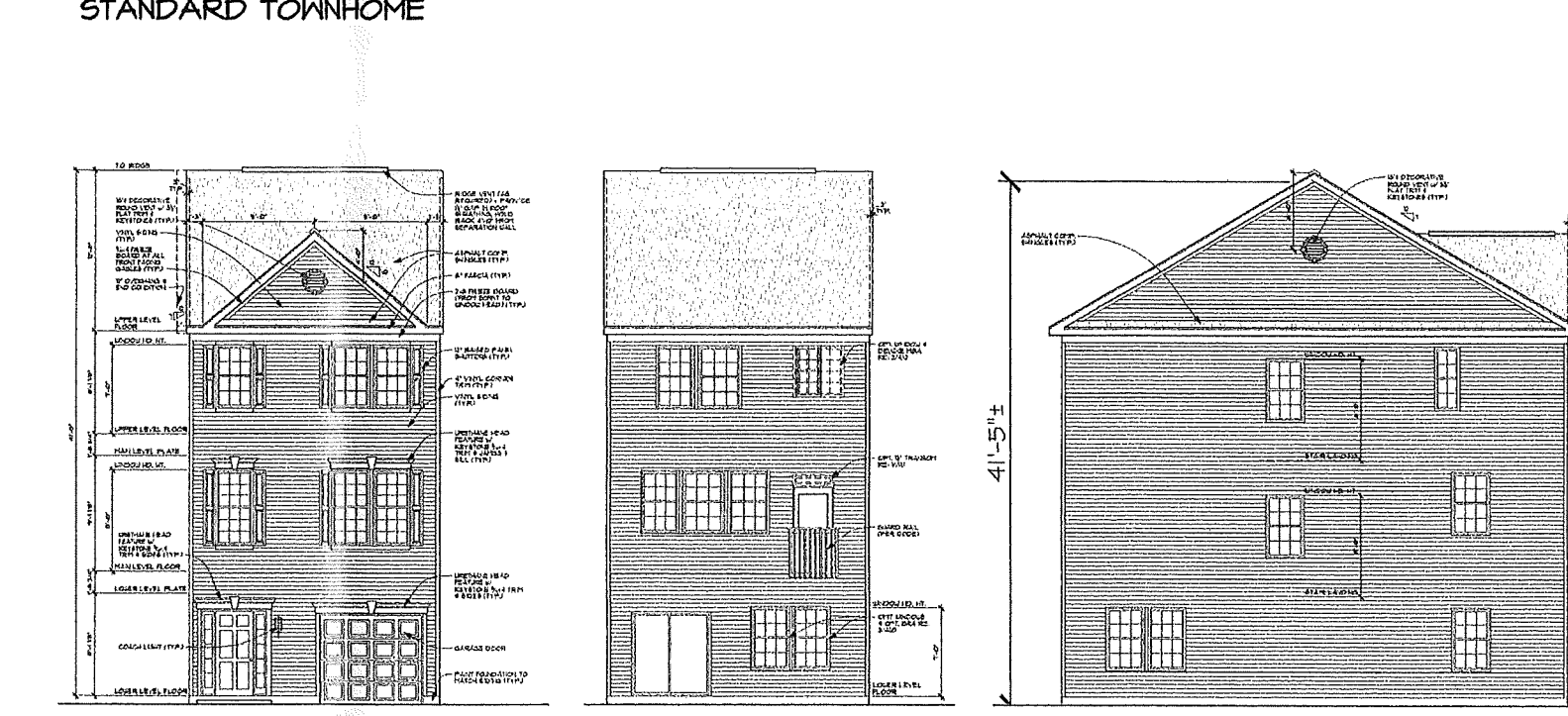
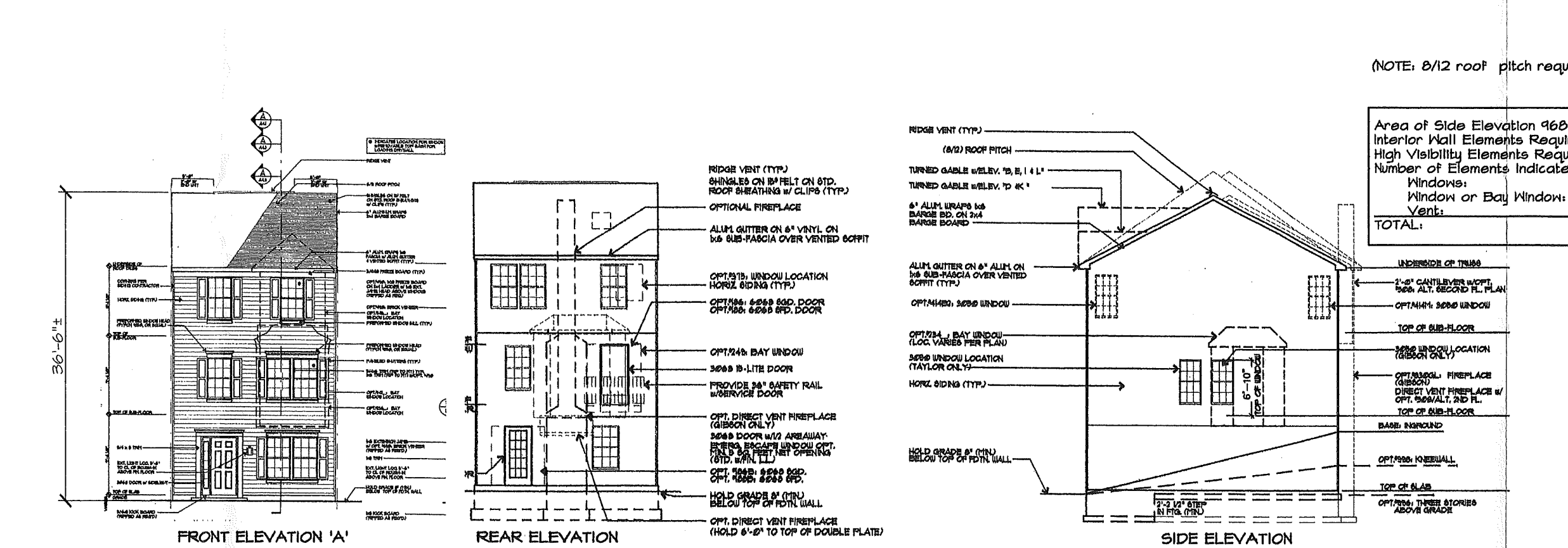
66. Alternatives Analysis Approved: August 20, 2002



TOWNHOUSE / PARKING / SCHEMATIC UTILITY HOUSE CONNECTION DETAIL*
*SUBJECT TO ZONING VARIANCE REQUEST(S) AND PUBLIC WORKS WAIVER REQUEST(S) NTS



TYPICAL PARKING SPACE DETAIL NTS.
NOTE: ALL DRIVEWAYS WILL COMPLY WITH SECTION 401 (B.C.Z.R.)
MINIMUM PARKING SPACE DIMENSIONS:
8'5" X 18" (ONE CAR) OR 17' X 18" (TWO CARS)



GARAGE TOWNHOME

SCHEMATIC BUILDING ELEVATIONS

NOTE: SEE PATTERN BOOK FOR ADDITIONAL INFORMATION

NTS.

SITE HISTORY

Case #196 - 354-XSPH (3/15/1966)

Special Hearing: Continued operations in non-conforming activities in DR-5.5 zone (clubhouse, liquor licenses, dances, hiking, camping, pool, pond uses for canoeing/fishing).

Granted subject to:
Extent of uses No concerns; No amplifiers after 11:00 p.m.; All activities shall cease at 2:00 a.m. on Friday and Saturday 12:00 a.m. Sunday through Thursday (except for camping) and Pool not opened as commercial business.

Special Exception: To allow miniature golf course and driving range.

Granted subject to:
Activities shall cease at 10:00 p.m. Provide adequate parking per B.C.Z.R. Pool operations per Health Department; All facilities shall be closed unless a manager is on site.

Special Exception: To allow clubhouse and fields as a training facility for football, baseball or soccer.

Denied

Case No. 1 - 481 and 02-520-SPHX-A (4/21/2003)
(Applies to southern portion of site Granite Woods)

Development Plan Approved

Variance: To allow two 7-unit buildings in lieu of permitted 610 parking spaces in a row in lieu of 14 feet of front and rear yard setback of 115 feet in lieu of 22 feet.

Approved

Special Exception 1 Variance: To allow existing parking to remain.

Denied

Case # 2004-0182 - SPHX (4/22/2004)

Special Hearing: To approve amendment to the approved Final Development Plan.