

IN THE MATTER OF:	*	BEFORE THE
SECURITY BOULEVARD	*	BOARD OF APPEALS OF
VENTURES, II, LLC, Legal Owner,	*	BALTIMORE COUNTY
US HOME CORPORATION,	*	Case No.: 16-109-A
Developer/Petitioner;	*	and CBA-16-038
7726 Johnnycake Road	*	
1 st Election District; 1 st Council District	*	
* * * * *		

OPINION

This case comes to the Board of Appeals with a unique procedural history. Security Boulevard Ventures, II, LLC, and US Home Corporation submitted for approval of a Development Plan for a community to be known as “Patapsco Glen.” Following the submission of the Development Plan, Petitioners also sought variance relief for numerous aspects of the Development Plan and also filed an application for a Special Variance regarding certain specimen trees within a forest conservation area. A combined hearing was held in front of the Administrative Law Judge on January 22, 2016.

Numerous representatives from various Baltimore County agencies attended the hearing. Several members of the Greater Patapsco Community Association, Inc. and Cathy Wolfson (“Protestants”) appeared at the hearing in opposition to certain parts of the project. At the time, the Petitioner proposed 368 single-family attached dwellings (townhouses) over approximately 58 acres. The subject property was overwhelmingly zoned DR 10.5 (10.5 residential units/acre), with approximately 3 acres out of the 58 within the BM-IM zone (Business Major with an Industrial Major District Overlay). Only a portion of the 58-acre tract is able to be developed due to topographical and environment issues.

On February 24, 2016, the ALJ issued the Combined Development Plan and Zoning Opinion & Order and disapproved of the redlined Development Plan, denied the Petition for Variance, but granted the Petition for Special Variance. Following the filing of a Motion for Reconsideration by Petitioner, on March 28, 2016, the ALJ issued his Order on Motion for Reconsideration and, again, denied the Petition for Variance and granted the Petition for Special Variance. The ALJ, however, approved of the Patapsco Glen Development Plan, subject to two conditions: (1) the granting of the variance relief in Case No. 2016-0109 (which the ALJ denied); or (2) resubmission to Baltimore County of a development plan for the site that complies with the development regulations and does not require variance relief. Protestants appealed the Development Plan decision and Petitioner appealed the denial of the variance relief.

Prior to the hearing in front of the Board of Appeals, Petitioner met with Protestants to discuss their concerns. In particular, Protestants reiterated the importance of the Patapsco/Granite Area Community Plan and its emphasis on the protection of land designated in this plan as Resource Preservation Area and the close proximity of houses to adjacent land zoned RC-6 (Rural Conservation and Residential).

Petitioner agreed to modify the planned layout of Patapsco Glen so that the distance from the houses to the land zoned RC-6 increased, the effect of which caused a reduction in the planned density from 368 units to 358, and the need for Petitioner to modify the Development Plan as well as the Petition for Variance. As another consequence of this change, Protestants withdrew their opposition to the Development Plan approval as long as the modifications remained consistent with the site plan shown to Protestants. This agreement was reduced to writing and was signed by the parties on December 5, 2016 (BOA Exhibit 3).

Therefore, at the time of the Board of Appeals hearing, the appeal regarding the Development Plan was no longer at issue. The appeal, at the time of the Board of Appeals hearing, solely concerned the denial of the Petition for Variance, which had been revised since the ALJ's denial.

With that background in mind, the Board conducted a hearing on March 9, 2017. Petitioner was represented by Patricia A. Malone, Esquire. Kathleen Skullney and Cathy Wolfson appeared for Protestants but did not take any position regarding the variance relief requested or otherwise participate in the hearing.

Petitioner presented numerous exhibits and a couple of witnesses regarding its request for variance relief. In particular, Petitioner presented Zachary Lette, a landscape architect with additional expertise in land planning and community planning, and David Thaler, an expert in engineering as well as in zoning and development regulations.

Mr. Lette reviewed the topographical and environmental features that constrained development of the subject property, identifying wetlands at the bottom of ravines, vegetation, specimen trees, and subsurface rock as conditions that precluded or hindered full development of the site and/or that influenced the plan submitted. (See, BOA Exhibits 5-7).

Mr. Thaler testified that the property has a bow-tie shape. Required setbacks and the presence of specimen trees further restrict the pinch point within the bowtie shape. Mr. Thaler identified forest buffers, an area of designated Baltimore County Recreational Greenway, the presence of a gas pipeline, and subsurface rock as conditions that make, in his opinion, this property the "most-constrained DR-10.5-zoned property" he had seen. As to the subsurface rock in particular, he noted that the project was designed around the rock without the need for blasting.

The presence of the conditions identified by Mr. Lette and Mr. Thaler necessitated the variance requests. By way of example, to move forward and attempt to utilize the permitted density, the project requires a variance from the mandated maximum of six units per townhouse group (Baltimore County Zoning Regulation (“BCZR”) § 504.2 and Comprehensive Manual of Development Policies (“CMDP”), Division 2, Section A) to seven and, in some cases, eight units.

The other variance requests in the Refined Zoning Plan are:

1. Variance from BCZR §1B01.2.C.1.c and CMDP to allow a minimum building face to property line and/or to public street right-of-way setback of 5 feet in lieu of the required 15 feet (standard townhouse)/25 feet (garage/townhouse);
2. Variance from BCZR § 1B01.2.C.1.c and CMDP to allow a minimum rear building face to property line and/or to public street right-of-way setback of 12 feet in lieu of the required 30 feet/50 feet;
3. Variance from BCZR §1B01.2.C.1.c and CMDP to allow a minimum side building face to side building face and/or to public street right-of-way setback of 4 feet in lieu of the required 25 feet;
4. Variance from BCZR §1B01.2.C.1.c and CMDP to allow a minimum building face to tract boundary setback of 28 feet in lieu of the required 30 feet;
5. Variance from BCZR §301.1.A to allow a deck (open porch) to extend into the minimum required rear yard more than the allowed 25% (requesting to have a minimum 10 foot deep deck in rear yard);
6. Variance from BCZR §1B01.B.1 and CMDP to allow a reduction in the required Residential Transition Area (RTA) to allow units to be constructed as close as 41 feet from the tract boundary; related grading, clearing, and infrastructure installation within the buffer, and to exceed the maximum height of 35 feet within the 100 feet of the tract boundary; and
7. Variance from BCZR § 504.2 and CMDP to allow private rear yard areas of less than 500 square feet.

To be clear, not all 358 proposed units required each variance. Rather, the variance requests are specific to certain units and groups as indicated in Petitioner’s Exhibit No. 4 (see, in particular, Variance Matrix and Refined Zoning Plan). As such, by way of example, there are groups of

townhouses that consist of six or fewer units and groups that require variance relief to allow seven or eight units. Similarly, only 10 out of the 358 units require a variance from the RTA regulations.

Petitioner also presented evidence regarding the zoning and planning history of the general area. Petitioner pointed to several actions undertaken by the County Council that reveal that this general area (Woodlawn) was a targeted growth area, namely: (1) the area containing the subject property was rezoned from RC-6 to DR 10.5, while nearby property was rezoned to accommodate economic development; (2) the Urban-Rural Demarcation Line and Master Water and Sewer Plan were changed to provide for water and sewer connections; (3) it was considered “General Urban” in the County *Master Plan 2020*; (4) it was to be considered a “Priority Funding Area” to help accommodate population and employment growth; and (5) the commercial and residential development of the Woodlawn area was considered to be important for not only economic growth generally, but also to support the Red Line Transit Project, with its western terminus to be located approximately one mile away from the subject property.

DECISION

As is well established, the general rule that guides this analysis is “the authority to grant a variance should be exercised sparingly and only under exceptional circumstances.” Trinity Assembly of God of Baltimore City v. People’s Counsel, 407 Md. 53, 79; 962 A.2d 404, 419 (2008), citing Cromwell v. Ward, 102 Md. App. 691, 703; 651 A.2d 424, 430 (1995).

Baltimore County Zoning Regulation § 307.1 governs requests for variance relief and it provides:

The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance

request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification.[1] Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance.

The “special circumstances or conditions [that] exist that are peculiar to the land or structure,” commonly referred to as a subject property’s “uniqueness,” do not include within its scope the extent of improvements upon the property. North v. St. Mary’s County, 99 Md. App. 502, 514; 638 A.2d 1175, 1181 (1994). Rather, the property’s uniqueness, for zoning purposes, “requires that the subject property have an inherent characteristic not shared by other properties in the area,” such as the property’s “shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions.” Id. If, and once, uniqueness is established, Petitioner must satisfy the prong of practical difficulty¹ to advance their claim for relief, and to do so Petitioner must prove:

1. Whether compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome;

¹ As is relevant herein, changes to the character of the neighborhood are considered less drastic with area variances than with use variances, and therefore, the less stringent “practical difficulties” standard applies to area variances, while the “undue hardship” standard applies to use variances. Montgomery County v. Rotwein, 169 Md. App. 716; 906 A.2d 959 (2006).

2. Whether a grant of the variance applied for would do substantial justice to the applicant as well as other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners; and

3. Whether relief can be granted in such a fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Trinity Assembly, 407 Md. at 83-84; 962 A.2d at 422.

Based on the evidence in the record, the only conclusion to draw is that subject property is unique. There was more than sufficient evidence regarding this property’s “shape, topography, subsurface condition, environmental factors,” etc., as identified by the Maryland Court of Appeals in the North case as features to analyze a property’s uniqueness. All of the issues identified factored into the design, density, and layout within the portion of the property that is developable and precluded full development of the site. Petitioner’s expert, Mr. Thaler, no stranger to the Board of Appeals, testified that it was the “most-constrained DR 10.5 property” of which he was aware.

Moreover, the zoning and community planning history help demonstrate why this particular site has features that create unique conditions and circumstances. The Patapsco/Granite Area Community Plan (BOA Exhibit No. 10), which concerns property adjacent to and in the vicinity of the site, (adopted by the County in 1998) identifies a desire to protect natural vegetation and preservation of attractive natural features. The Community Plan notes that the general area has “severe environmental constraints” and “severe topography” issues. Since the Community Plan was written, the zoning for the adjacent area and subject property was changed to RC-6 in 2000 and then the subject property was changed to DR 10.5 in 2008. As noted in the ALJ’s Order, the desire to preserve the rural character of the adjacent area prompted the opposition from Protestants

prior to subsequent changes to the site plan that ameliorated, or at least significantly lessened, those concerns.

The inherent conflict between the stark contrast in adjacent zoning districts, the Community preservation goals, and topographical and environmental issues all combine to lead to the inescapable conclusion, Petitioner has presented more than sufficient evidence illustrating the uniqueness of this particular property and, without opposition, this Board finds that the site is unique and the application of the zoning requirements of DR 10.5 have a disproportionate impact upon this property.

As noted above, not all units require the same variance relief, and in fact, some units do not require any relief. Petitioner specified which units and which groupings of units required particularized relief. The conditions outlined above affect parts of the site in varying ways and in varying combinations. Moreover, Petitioners have proved that the same conditions that lead to the conclusion that the site, in general, is unique, also require the same particularized finding for the individual units and/or groupings affected by one or more of those conditions, as specified on Petitioners' Exhibits No. 4-7. To be clear, the uniqueness of one part of a property does not necessarily extend to other parts of the property. In this case, Petitioners have identified the conditions experienced at different parts of the property. In doing so, Petitioners have presented sufficient evidence that establishes that certain characteristics render parts of the property unique for one or more reasons and therefore, have gone beyond a general showing for the site to justify an analysis practical difficulty to develop each part of the property, as relevant. In turn, Petitioners have carefully targeted the requested variance relief to match the varying conditions found. In other words, if, for example, a setback variance was required for several units because of a forest

buffer, Petitioners have not sought to have that setback variance applicable to all units. Petitioner requested that particular relief for only the units affected by the relevant conditions.

As illustrated throughout this opinion, the features and characteristics of this property result in a practical difficulty in trying to develop the Property for a permitted use in the absence of variance relief. Approximately 43% of the property is undevelopable. A substantial part of the remainder requires some variance relief in order to develop it consistent with the permitted uses within a DR 10.5 zone and in furtherance of the overall plan and objectives for the area.

Strict application of area, setbacks, frontage, height, bulk or density requirements would render this property almost entirely undevelopable. This Board takes into account the resolution of issues between the Protestants below and Petitioners that prompted the withdrawal of their opposition. With all evidence in favor of the Petitioners and no opposition, and a particular desire to effectuate the resolution of issues with the opposition below, the Board finds that substantial justice, to both, Petitioners and other area owners, will be achieved by granting the variance relief requested. Finally, as reflected above, because Petitioners matched the variance relief to the conditions experienced in a hyperlocalized manner relative to the property as a whole, the spirit of the ordinances at issue will be observed and public safety and welfare secured.

For these reasons, Petitioners have proved and, therefore, the Board of Appeals finds that the property is unique, generally and specifically and that Petitioners will face significant practical difficulty in the absence of the variance relief sought. Accordingly, Petitioners variance requests are granted.

ORDER

THEREFORE, FOR THE REASONS STATED ABOVE, IT IS THIS 19th day
of July, 2017 by the Board of Appeals of Baltimore County

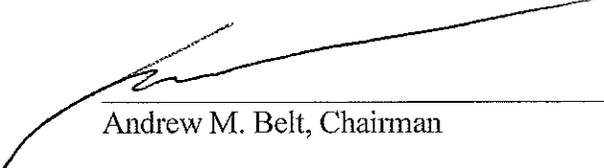
ORDERED that the Petition for Variance is **GRANTED** and the following requested
variances are **APPROVED** in accordance with Petitioners Ex No 4, Variance Matrix and Refined
Zoning Plan:

1. Variance from BCZR §1B01.2.C.1.c and CMDP to allow a minimum building face to property line and/or to public street right-of-way setback of 5 feet in lieu of the required 15 feet (standard townhouse)/25 feet (garage/townhouse);
2. Variance from BCZR § 1B01.2.C.1.c and CMDP to allow a minimum rear building face to property line and/or to public street right-of-way setback of 12 feet in lieu of the required 30 feet/50 feet;
3. Variance from BCZR §1B01.2.C.1.c and CMDP to allow a minimum side building face to side building face and/or to public street right-of-way setback of 4 feet in lieu of the required 25 feet;
4. Variance from BCZR §1B01.2.C.1.c and CMDP to allow a minimum building face to tract boundary setback of 28 feet in lieu of the required 30 feet;
5. Variance (Modification of Standard) from BCZR Section 504.2 and CMDP to allow 7 and 8 townhouse units in a group in lieu of the maximum permitted 6 townhouse units in a group;
6. Variance from BCZR §301.1.A to allow a deck (open porch) to extend into the minimum required rear yard more than the allowed 25% (requesting to have a minimum 10 foot deep deck in rear yard);
7. Variance from BCZR §1B01.B.1 and CMDP to allow a reduction in the required Residential Transition Area (RTA) to allow units to be constructed as close as 41 feet from the tract boundary; related grading, clearing, and infrastructure installation within the buffer, and to exceed the maximum height of 35 feet within the 100 feet of the tract boundary; and
8. Variance from BCZR § 504.2 and CMDP to allow private rear yard areas of less than 500 square feet.

In the matter of: Security Boulevard Ventures, II, LLC – Legal Owner
U.S. Home Corporation – Developer/Petitioner (aka Patapsco Glen)
Case No: 16-109-A and CBA-16-038

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

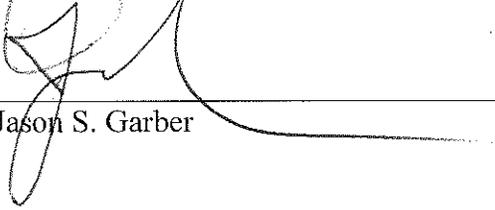
**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Andrew M. Belt, Chairman



Joseph L. Evans



Jason S. Garber



Board of Appeals of Baltimore County

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July 19, 2017

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RE: In the Matter of: *Security Boulevard Ventures, II, LLC – Legal Owner*
US Home Corporation – Developer/Petitioner
(a/k/a Patapsco Glen)
Case Nos.: 16-109-A and CBA-16-038

Dear Counsel:

Enclosed please find a copy of the final Opinion and Order issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Krysundra "Sunny" Cannington
Administrator

KLC/taz
Enclosure
Duplicate Original Cover Letter

c: Security Boulevard Ventures, II, LLC
Joseph Fortino/US Home Corporation
Richard E. Matz, P.E./Colbert, Matz & Rosenfelt, Inc.
Andrea Van Arsdale, Director/Department of Planning
Lawrence Stahl, Managing Administrative Law Judge
Arnold Jablon, Deputy Administrative Officer, and Director/PAI
Nancy C. West, Assistant County Attorney/Office of Law
Michael E. Field, County Attorney/Office of Law

Kathleen S. Skullney, Esquire
Cathy Wolfson/Greater Patapsco Comm. Assn.
Robert C. Teller
Meribeth Diemer
Denise Maranto
Vincent Gardina, Director/DEPS
Jan M. Cook, Development Manager/PAI
Darryl Putty, Project Manager/PAI

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF: Security Boulevard Ventures, II, LLC – Legal Owner 16-109-A and
US Home Corporation – Developer/Petitioner CBA-16-038
(Patapsco Glen)

DATE: April 20, 2017

BOARD/PANEL: Andrew M. Belt, Panel Chairman
Jason S. Garber
Joseph L. Evans

RECORDED BY: Tammy A. McDiarmid, Legal Secretary

PURPOSE: To deliberate the following:

- 1) Petition for Variance, pursuant to BCZR Section 307.1, to approve:
 - 1) Variance from BCZR Section 1B01.2.C.1.c to permit front building face to property line setbacks ranging from 4 feet to 20 feet ilo the required 25 feet.
 - 2) Variance from BCZR Section 1B01.2.C.1.c to permit rear building face to property line setbacks ranging from 17 feet to 27 feet ilo the required 30 feet.
 - 3) Variance from BCZR Section 1B01.2.C.1.c, pursuant to Section 504.2 of the BCZR and CMDP, Division II, Section A: Residential Standards, Table VII, to permit side building face to side building face setbacks of 20 feet ilo the required 25 feet.
 - 4) Variance from BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to permit 7 and 8 townhouse units in a group ilo the maximum permitted 6 townhouse units in a group.
 - 5) Variance to permit 10 foot deep decks to extend into the required rear yards, which will exceed the 25% maximum projection permitted by BCZR Section 301.1.
 - 6) Variance from BCZR Section 1B01.2.C.1.c to permit building face to tract boundary setbacks of 27 feet ilo the required 30 feet.
 - 7) Variance from BCZR Section 1B01.B.1, pursuant to BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to allow a reduction in the required Residential Transition Area (RTA) to allow units to encroach into the required buffer and setback areas (setbacks for units to tract boundary vary from 42-65 feet) and to exceed the maximum height of 35 feet.
 - 8) Variance from BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to permit a private rear yard area of less than 500 sq feet.
 - 9) Additional relief as deemed necessary by the Administrative Law Judge; and
- 2) Approval of Development Plan, with conditions.

PANEL MEMBERS DISCUSSED THE FOLLOWING:

STANDING

- The Board reviewed the history of the case.
- The Board held a hearing in this matter during which Mr. Thaler presented a comprehensive presentation of the project.
- The Board noted that the Community Association originally opposed the variance requests and Development Plan, but they worked with the Petitioners on a revised Plan which removed some units, and reconfigured other ones. There was no opposition to the revised Plan.



Board of Appeals of Baltimore County

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March 10, 2017

NOTICE OF PUBLIC DELIBERATION

IN THE MATTER OF: Security Boulevard Ventures, II, LLC – Legal Owner
US Home Corporation – Developer/Petitioner
CBA-16-038 7726 Johnnycake Road
HOH Case No.: 01-0584
1st Election District; 1st Councilmanic District

Re: Appeal of approval of Development Plan, with conditions.

---SET WITH---

16-109-A Security Boulevard Ventures, II, LLC – Legal Owner
US Home Corporation – Developer/Petitioner
7726 Johnnycake Road
1st Election District; 1st Councilmanic District

Re: Petition for Variance, pursuant to BCZR Section 307.1, to approve:

- 1) Variance from BCZR Section 1B01.2.C.1.c to permit front building face to property line setbacks ranging from 4 feet to 20 feet ilo the required 25 feet.
- 2) Variance from BCZR Section 1B01.2.C.1.c to permit rear building face to property line setbacks ranging from 17 feet to 27 feet ilo the required 30 feet.
- 3) Variance from BCZR Section 1B01.2.C.1.c, pursuant to Section 504.2 of the BCZR and CMDP, Division II, Section A: Residential Standards, Table VII, to permit side building face to side building face setbacks of 20 feet ilo the required 25 feet.
- 4) Variance from BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to permit 7 and 8 townhouse units in a group ilo the maximum permitted 6 townhouse units in a group.
- 5) Variance to permit 10 foot deep decks to extend into the required rear yards, which will exceed the 25% maximum projection permitted by BCZR Section 301.1.
- 6) Variance from BCZR Section 1B01.2.C.1.c to permit building face to tract boundary setbacks of 27 feet ilo the required 30 feet.
- 7) Variance from BCZR Section 1B01.B.1, pursuant to BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to allow a reduction in the required Residential Transition Area (RTA) to allow units to encroach into the required buffer and setback areas (setbacks for units to tract boundary vary from 42-65 feet) and to exceed the maximum height of 35 feet.
- 8) Variance from BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to permit a private rear yard area of less than 500 sq feet.
- 9) Additional relief as deemed necessary by the Administrative Law Judge.

2/24/16

Administrative Law Judge's Combined Development Plan and Zoning Opinion and Order wherein the "Patapsco Glen" redline Development Plan was DISAPPROVED, given the denial of zoning relief as sought in Case No. 2016-0109-A; the Petition for Variance in Case No. 2016-0109-A was DENIED; and the Petition for Special Variance permitting the removal of six (6) specimen trees was GRANTED.

Notice of Public Deliberation
In the matter of Security Boulevard Ventures, II, LLC
(aka Patapsco Glen)
Case No: 16-109-A and CBA-16-038
March 10, 2017
Page 2

3/28/16 Order on Motion for Reconsideration issued by the ALJ wherein the Motion for Reconsideration with respect to the Petition for Variance was DENIED; and the Petition for Special Variance permitting the removal of 6 of 33 specimen trees on site was GRANTED; and the Patapsco Glen Development Plan was APPROVED, expressly conditioned upon (a) the grant of variance relief in Case No. 2016-0109-A; or (b) resubmission to Baltimore County of a development plan which complies with the development regulations and does not require variance relief.

This matter having been heard and concluded on March 9, 2017, a public deliberation has been scheduled for the following:

DATE AND TIME: THURSDAY, APRIL 20, 2017 at 9:30 a.m.

LOCATION: Jefferson Building - Second Floor
Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

NOTE: PUBLIC DELIBERATIONS ARE OPEN WORK SESSIONS WHICH ALLOW THE PUBLIC TO WITNESS THE DECISION-MAKING PROCESS. ATTENDANCE IS NOT REQUIRED AND PARTICIPATION IS NOT ALLOWED. A WRITTEN OPINION AND/OR ORDER WILL BE ISSUED BY THE BOARD AND A COPY SENT TO ALL PARTIES.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington
Administrator

c: Counsel for Petitioner/Developer : Patricia A. Malone, Esquire and Adam M. Rosenblatt, Esquire
Developer : US Home Corporation
Legal Owner : Security Boulevard Ventures, II, LLC

Office of People's Counsel for Baltimore County : Peter M. Zimmerman, Esquire

Protestants : Kathleen S. Skullney, and Greater Patapsco Community Association, Inc./Cathy Wolfson, Zoning Chairperson

Richard E. Matz, P.E.
Robert C. Teller
Maribeth Diemer
Denise Maranto

Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Director/PAI
Darryl Putty, Project Manager/PAI
Nancy West, Assistant County Attorney

Andrea Van Arsdale, Director/Department of Planning
Jan M. Cook, Development Manager/PAI
Vincent Gardina, Director/DEPS
Michael Field, County Attorney, Office of Law



Board of Appeals of Baltimore County

TD SC

RECEIVED

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FEB 8 2017

DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

February 8, 2017

01-0584

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RE: In the Matter of: *Security Boulevard Ventures, II, LLC – Legal Owner*
US Home Corporation – Developer/Petitioner
(a/k/a Patapsco Glen)
Case No.: CBA-16-038

Dear Counsel:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County of the appeal taken by Cathy Wolfson, *pro se*, and Kathleen Skullney, Esquire, in the above subject matter.

Pursuant to the enclosed, this Order is not final decision of the Board of Appeals for Baltimore County and does not constitute an appealable event at this time. This matter will be held open on the Board's docket until such time as a final opinion can be issued.

Very truly yours,

Krysundra "Sunny" Cannington
Administrator

KLC/tam
Enclosure
Duplicate Original Cover Letter

c: Security Boulevard Ventures, II, LLC
Joseph Fortino/US Home Corporation
Richard E. Matz, P.E./Colbert, Matz & Rosenfelt, Inc.
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Darryl Putty, Project Manager/PAI

IN THE MATTER OF
SECURITY BOULEVARD VENTURE, LLC, OWNER
U.S. HOME CORPORATION, PETITIONERS
FOR THE PROPERTY LOCATED AT
7726 JOHNNYCAKE ROAD
ALSO KNOWN AS PATAPSCO GLEN
1ST ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO.: CBA-16-038

* * * * *

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Cathy Wolfson, and Greater Patapsco Community Association, Inc., Protestants and Appellants, from a final decision of the Administrative Law Judge dated February 24, 2016, and Order on Motion for Reconsideration issued by the Administrative Law Judge on March 28, 2016.

WHEREAS, the Board is in receipt of a Notice of Withdrawal of Appeal filed on January 11, 2017 by Cathy Wolfson, *pro se*, and Kathleen Skullney, Esquire on behalf of Greater Patapsco Community Association, Inc., Protestants and Appellants (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Protestants/Appellant requests that their appeal taken in this matter be withdrawn and dismissed as of January 11, 2017.

THEREFORE, IT IS ORDERED this 8th day of February, 2017 by the Board of Appeals of Baltimore County that the appeal taken by Cathy Wolfson, *pro se*, and Kathleen Skullney, Esquire on behalf of Greater Patapsco Community Association, Inc., in Case No. CBA-16-038 be and the same is hereby **DISMISSED**.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Andrew M. Belt, Chairman



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

February 8, 2017

Patricia A. Malone, Esquire
Adam M. Rosenblatt, Esquire
Venable LLP
210 W. Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

Peter M. Zimmerman, Esquire
Carole S. Demilio, Esquire
Office of People's Counsel
The Jefferson Building, Suite 204
105 W. Chesapeake Avenue
Towson, Maryland 21204

RE: In the Matter of: Security Boulevard Ventures, II, LLC - Legal Owner
US Home Corporation - Developer/Petitioner
(a/k/a Patapsco Glen)
Case No.: CBA-16-038 01-0584

Dear Counsel:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County of the appeal taken by Cathy Wolfson, pro se, and Kathleen Skullney, Esquire, in the above subject matter.

Pursuant to the enclosed, this Order is not final decision of the Board of Appeals for Baltimore County and does not constitute an appealable event at this time. This matter will be held open on the Board's docket until such time as a final opinion can be issued.

Very truly yours,

[Handwritten signature of Krysundra Cannington]

Krysundra "Sunny" Cannington
Administrator

KLC/tam
Enclosure
Duplicate Original Cover Letter

c: Security Boulevard Ventures, II, LLC
Joseph Fortino/US Home Corporation
Richard E. Matz, P.E./Colbert, Matz & Rosenfelt, Inc.
Andrea Van Arsdale, Director/Department of Planning
Lawrence Stahl, Managing Administrative Law Judge
Arnold Jablon, Deputy Administrative Officer, and Director/PAI
Nancy C. West, Assistant County Attorney/Office of Law
Michael E. Field, County Attorney/Office of Law

Kathleen S. Skullney, Esquire
Cathy Wolfson/Greater Patapsco Comm. Assn.
Robert C. Teller
Meribeth Diemer
Denise Maranto
Vincent Gardina, Director/DEPS
Jan M. Cook, Development Manager/PAI
Darryl Putty, Project Manager/PAI

IN THE MATTER OF
SECURITY BOULEVARD VENTURE, LLC, OWNER
U.S. HOME CORPORATION, PETITIONERS
FOR THE PROPERTY LOCATED AT
7726 JOHNNYCAKE ROAD
ALSO KNOWN AS PATAPSCO GLEN
1ST ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO.: CBA-16-038

* * * * *

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Cathy Wolfson, and Greater Patapsco Community Association, Inc., Protestants and Appellants, from a final decision of the Administrative Law Judge dated February 24, 2016, and Order on Motion for Reconsideration issued by the Administrative Law Judge on March 28, 2016.

WHEREAS, the Board is in receipt of a Notice of Withdrawal of Appeal filed on January 11, 2017 by Cathy Wolfson, *pro se*, and Kathleen Skullney, Esquire on behalf of Greater Patapsco Community Association, Inc., Protestants and Appellants (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Protestants/Appellant requests that their appeal taken in this matter be withdrawn and dismissed as of January 11, 2017.

THEREFORE, IT IS ORDERED this 8th day of February, 2017 by the Board of Appeals of Baltimore County that the appeal taken by Cathy Wolfson, *pro se*, and Kathleen Skullney, Esquire on behalf of Greater Patapsco Community Association, Inc., in Case No. CBA-16-038 be and the same is hereby **DISMISSED**.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Andrew M. Belt, Chairman



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

January 31, 2017

NOTICE OF REASSIGNMENT

IN THE MATTER OF: Security Boulevard Ventures, II, LLC – Legal Owner
US Home Corporation – Developer/Petitioner
CBA-16-038 7726 Johnnycake Road
HOH Case No.: 01-0584
1st Election District; 1st Councilmanic District

Re: Appeal of approval of Development Plan, with conditions.

---SET WITH---

16-109-A Security Boulevard Ventures, II, LLC – Legal Owner
US Home Corporation – Developer/Petitioner
7726 Johnnycake Road
1st Election District; 1st Councilmanic District

Re: Petition for Variance, pursuant to BCZR Section 307.1, to approve:

- 1) Variance from BCZR Section 1B01.2.C.1.c to permit front building face to property line setbacks ranging from 4 feet to 20 feet ilo the required 25 feet.
- 2) Variance from BCZR Section 1B01.2.C.1.c to permit rear building face to property line setbacks ranging from 17 feet to 27 feet ilo the required 30 feet.
- 3) Variance from BCZR Section 1B01.2.C.1.c, pursuant to Section 504.2 of the BCZR and CMDP, Division II, Section A: Residential Standards, Table VII, to permit side building face to side building face setbacks of 20 feet ilo the required 25 feet.
- 4) Variance from BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to permit 7 and 8 townhouse units in a group ilo the maximum permitted 6 townhouse units in a group.
- 5) Variance to permit 10 foot deep decks to extend into the required rear yards, which will exceed the 25% maximum projection permitted by BCZR Section 301.1.
- 6) Variance from BCZR Section 1B01.2.C.1.c to permit building face to tract boundary setbacks of 27 feet ilo the required 30 feet.
- 7) Variance from BCZR Section 1B01.B.1, pursuant to BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to allow a reduction in the required Residential Transition Area (RTA) to allow units to encroach into the required buffer and setback areas (setbacks for units to tract boundary vary from 42-65 feet) and to exceed the maximum height of 35 feet.
- 8) Variance from BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to permit a private rear yard area of less than 500 sq feet.
- 9) Additional relief as deemed necessary by the Administrative Law Judge.

2/24/16

Administrative Law Judge's Combined Development Plan and Zoning Opinion and Order wherein the "Patapsco Glen" redline Development Plan was DISAPPROVED, given the denial of zoning relief as sought in Case No. 2016-0109-A; the Petition for Variance in Case No. 2016-0109-A was DENIED; and the Petition for Special Variance permitting the removal of six (6) specimen trees was GRANTED.

Notice of Reassignment
In the matter of Security Boulevard Ventures, II, LLC – Legal Owner
US Home Corporation – Developer/Petitioner
(aka Patapsco Glen)
16-109-A and CBA-16-038
January 31, 2017
Page 2

3/28/16 Order on Motion for Reconsideration issued by the ALJ wherein the Motion for Reconsideration with respect to the Petition for Variance was DENIED; and the Petition for Special Variance permitting the removal of 6 of 33 specimen trees on site was GRANTED; and the Patapsco Glen Development Plan was APPROVED, expressly conditioned upon (a) the grant of variance relief in Case No. 2016-0109-A; or (b) resubmission to Baltimore County of a development plan which complies with the development regulations and does not require variance relief.

ASSIGNED FOR: THURSDAY, MARCH 9, 2017, AT 10:00 A.M.

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board’s Rules of Practice & Procedure, Appendix B, Baltimore County Code.
- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board’s Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
- If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

NEW! Parties must file one (1) original and three (3) copies of all Motions, Memoranda, and exhibits (including video and PowerPoint) with the Board unless otherwise requested.

NEW! Projection equipment for digital exhibits is available by request. A minimum of forty-eight (48) hours-notice is required. Supply is limited and not guaranteed.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra “Sunny” Cannington, Administrator

c: Counsel for Petitioner/Developer : Patricia A. Malone, Esquire and Adam M. Rosenblatt, Esquire
Developer : US Home Corporation
Legal Owner : Security Boulevard Ventures, II, LLC

Office of People’s Counsel for Baltimore County : Peter M. Zimmerman, Esquire

Richard E. Matz, P.E.
Robert C. Teller
Maribeth Diemer
Denise Maranto
Kathleen Skullney
Cathy Wolfson/Greater Patapsco Community Association, Inc.

Lawrence M. Stahl, Managing Administrative Law Judge : Andrea Van Arsdale, Director/Department of Planning
Arnold Jablon, Director/PAI : Jan M. Cook, Development Manager/PAI
Darryl Putty, Project Manager/PAI : Vincent Gardina, Director/DEPS
Nancy West, Assistant County Attorney : Michael Field, County Attorney, Office of Law

RECEIVED
JAN 11 2017
BALTIMORE COUNTY
BOARD OF APPEALS

IN RE: DEVELOPMENT PLAN APPROVAL
And PETITION FOR VARIANCES

PATAPSCO GLEN
7726 Johnnycake Road
1st Election District
1st Council District

Security Boulevard Ventures, LLC
U.S. Home Corporation
Owners/Petitioners

BEFORE THE
BOARD OF APPEALS
OF BALTIMORE COUNTY

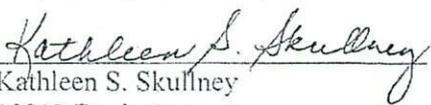
CBA Case No. 16-038

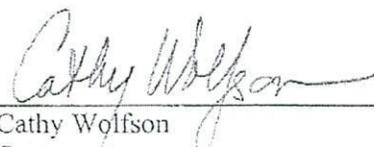
* * * * *

WITHDRAWAL OF NOTICE OF APPEAL

Greater Patapsco Community Association, Inc., (GPCA) and Cathy Wolfson, Protestants in the above captioned case, and pursuant to Rule 3(b) of the Rules of Practice and Procedure of the Baltimore County Board of Appeals hereby file this Withdrawal of Notice of Appeal filed by Protestants on April 26, 2016. Specifically, Protestants appealed Administrative Law Judge Beverungen's conditional approval of the Development Plan included in his Order on Motion for Reconsideration. Protestants now wish said Appeal to be withdrawn and dismissed.

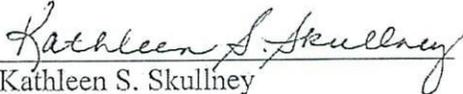
Respectfully submitted,


Kathleen S. Skullney
10813 Davis Avenue
Granite, MD 21163
410-465-9116
Attorney for Protestant GPCA


Cathy Wolfson
Protestant

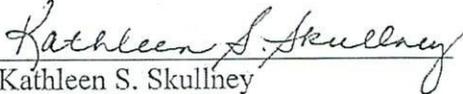
CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2017, a copy of the foregoing Withdrawal of Notice of Appeal was mailed first class postage paid to Peter Max Zimmerman, Esq., People's Counsel for Baltimore County at 105 West Jefferson Avenue, Room 204, Towson, MD 21204, Patricia A. Malone, Esq. at Venable, LLP, 210 Pennsylvania Avenue, Suite 500, Towson, MD 21204, Attorney for Developer/Appellant.


Kathleen S. Skullney

CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2017, a copy of the foregoing Withdrawal of Notice of Appeal was mailed first class postage paid to Peter Max Zimmerman, Esq., People's Counsel for Baltimore County at 105 West Jefferson Avenue, Room 204, Towson, MD 21204, Patricia A. Malone, Esq. at Venable, LLP, 210 Pennsylvania Avenue, Suite 500, Towson, MD 21204, Attorney for Developer/Appellant.


Kathleen S. Skullhey

5/16/16
TO JC
FYI



IN RE: DEVELOPMENT PLAN APPROVAL	*	BEFORE THE
And PETITION FOR VARIANCES	*	OFFICE OF
PATAPSCO GLEN	*	ADMINISTRATIVE HEARINGS
7726 Johnnycake Road	*	FOR BALTIMORE COUNTY
1 st Election District	*	
1 st Council District	*	
Security Boulevard Ventures, LLC	*	Zoning Case No. 2016-0109-A
U.S. Home Corporation	*	Development PAI No. 01-0584
Owners/Petitioners	*	

* * * * *

PETITION ON APPEAL

Greater Patapsco Community Association, Inc., (GPCA) Protestant in the above captioned case, by its attorney, Kathleen S. Skullney, hereby files this Petition on Appeal pursuant to Baltimore County Code Section 32-4-281 stating its grounds for appeal and the relief it seeks. Protestant Cathy Wolfson, as indicated below, joins this Petition. Administrative Law Judge Beverungen's ruling on the Development Plan (Plan) included in his Order on Motion for Reconsideration (Order) is in error and should be reversed for the following reasons:

1. Specifically, GPCA appeals the Order's approval of the submitted plan, subject to two conditions stated in the Order: "Development Plan approval is expressly conditioned upon:
 - (a) Grant of variance relief as sought in Case No. 2016-0109-A; or
 - (b) Resubmission to Baltimore County of a development plan for the site that complies with the development regulations and does not require variance relief."

2. This Order creates a legal impossibility and a conditional approval for which there is no basis in Baltimore County law.

3. The Plan as submitted relies on 1,426 separate variances in eight categories plus variances from Department of Environmental Protection requirements for forest and stream buffers as well as specimen trees. Variances from nearly all county regulations regarding general density, bulk, building separations, open space, height and area regulations, rear yards, rear

decks and related buffers and setbacks are presumed for the Plan in general and in every one of the 368 units proposed.

4. The result is a Plan that, in its effort to maximize density beyond what is permitted by zoning and the normal constraints of the property, lessens by variance nearly every development limitation set forth in Baltimore County regulations.

5. As such, there is no possible distinction between the Plan and the all-encompassing variances. Thus, the Plan attempts to subsume the strict, antithetical legal requirements and procedures for variances into the less rigorous and more discretionary general development approval process.

6. Without the variances, there is no Plan to challenge which is why, as the Order notes, “protestants’ primary arguments at the hearing related to the variances.”

7. Such a plan that depends entirely on variances is simply not recognized nor does it have any basis for approval under the requirements set forth in 32-4-229(b)(1). There is no plan that “complies with these regulations”, only a plan that presumes universal relief from regulations. Nor is such a plan exempt or subject to any condition indicating approval other than by the required hearing.

8. The Order correctly denies all 1,426 variances built into and presumed by the Plan, and thus there is no Plan left to be approved. Nevertheless, the Order then approves the Plan conditioned on future approval of the variances or the submission of a new plan. The Order cites *People’s Counsel v. Elm Street Dev, Inc.*, 172 Md. App., 690 (2007) as authority for such conditional approval. That case involved a plan approved with two conditions neither of which were variances or encompassed the entire development plan. There also were subsequent proceedings. There appears little, if any, application of that case to the instant Plan that does not exist without over a thousand variances.

9. The Petitioner/ Developer must submit an entirely new development plan, subject to the entire development approval process, including another hearing as required by Article 32, Title 4 of the County Code.

10. In addition, the Plan fails to acknowledge or incorporate the requirements of the Patapsco/Granite Community Plan or the Patapsco Granite Resource Preservation Area set forth in Baltimore County Master Plan 2020.

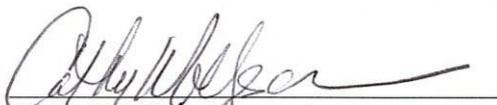
11. Therefore, GPCA respectfully disagrees with and appeals the conditional approval of the Development Plan submitted by Petitioner.

WHEREFORE, GPCA requests that the Board of Appeals reverse the conditional approval of the Development Plan set forth in ALJ Beverungen's final Order; that the Board of Appeals disapprove the Development Plan; and order that any new development plan is subject to the entire development plan review process, including a hearing, as set forth in Article 32, Title 4 of the Baltimore County Code.

Respectfully submitted,

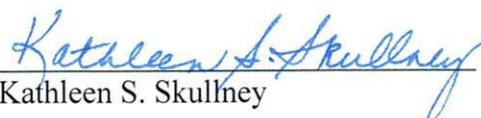

Kathleen S. Skullney
10813 Davis Avenue
Granite, MD21163
410-465-9116
ksskullney@verizon.net
Attorney for Protestant GPCA

I hereby concur with and join the foregoing Petition on Appeal filed by GPCA.


Cathy Wolfson
8434 Dogwood Road
Windsor Mill, MD 21244
Protestant

CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2016, a copy of the foregoing Petition on Appeal was mailed first class postage paid to Patricia A. Malone Peter Max Zimmerman, People's Counsel for Baltimore County at 105 West Jefferson Avenue, Room 204, Towson, MD 21204 , Esq. at Venable, LLP, 210 Pennsylvania Avenue, Suite 500, Towson, MD 21204, Attorney for Developer/Appellant.


Kathleen S. Skullney



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

April 11, 2016

NOTICE OF ASSIGNMENT

IN THE MATTER OF: Security Boulevard Ventures, II, LLC – Legal Owner
US Home Corporation – Developer/Petitioner
CBA-16-038 7726 Johnnycake Road
HOH Case No.: 01-0584
1st Election District; 1st Councilmanic District

Re: Appeal of approval of Development Plan, with conditions.

---SET WITH---

16-109-A Security Boulevard Ventures, II, LLC – Legal Owner
US Home Corporation – Developer/Petitioner
7726 Johnnycake Road
1st Election District; 1st Councilmanic District

- Re: Petition for Variance, pursuant to BCZR Section 307.1, to approve:
- 1) Variance from BCZR Section 1B01.2.C.1.c to permit front building face to property line setbacks ranging from 4 feet to 20 feet ilo the required 25 feet.
 - 2) Variance from BCZR Section 1B01.2.C.1.c to permit rear building face to property line setbacks ranging from 17 feet to 27 feet ilo the required 30 feet.
 - 3) Variance from BCZR Section 1B01.2.C.1.c, pursuant to Section 504.2 of the BCZR and CMDP, Division II, Section A: Residential Standards, Table VII, to permit side building face to side building face setbacks of 20 feet ilo the required 25 feet.
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 - 8) Variance from BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to permit a private rear yard area of less than 500 sq feet.
 - 9) Additional relief as deemed necessary by the Administrative Law Judge.

2/24/16

Administrative Law Judge's Combined Development Plan and Zoning Opinion and Order wherein the "Patapsco Glen" redline Development Plan was DISAPPROVED, given the denial of zoning relief as sought in Case No. 2016-0109-A; the Petition for Variance in Case No. 2016-0109-A was DENIED; and the Petition for Special Variance permitting the removal of six (6) specimen trees was GRANTED.

Notice of Assignment
In the matter of Security Boulevard Ventures, II, LLC – Legal Owner
US Home Corporation – Developer/Petitioner
(aka Patapsco Glen)
16-109-A and CBA-16-038
April 11, 2016
Page 2

3/28/16 Order on Motion for Reconsideration issued by the ALJ wherein the Motion for Reconsideration with respect to the Petition for Variance was DENIED; and the Petition for Special Variance permitting the removal of 6 of 33 specimen trees on site was GRANTED; and the Patapsco Glen Development Plan was APPROVED, expressly conditioned upon (a) the grant of variance relief in Case No. 2016-0109-A; or (b) resubmission to Baltimore County of a development plan which complies with the development regulations and does not require variance relief.

ASSIGNED FOR: THURSDAY, JUNE 2, 2016, AT 10:00 A.M.

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board’s Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board’s Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

**Krysundra “Sunny” Cannington
Administrator**

c: Counsel for Petitioner/Developer : Patricia A. Malone, Esquire and Adam M. Rosenblatt, Esquire
Developer : US Home Corporation
Legal Owner : Security Boulevard Ventures, II, LLC

Office of People’s Counsel for Baltimore County : Peter M. Zimmerman, Esquire

Protestants : Kathleen S. Skullney, and Greater Patapsco Community Association, Inc./Cathy Wolfson, Zoning Chairperson

Richard E. Matz, P.E.
Robert C. Teller
Maribeth Diemer
Denise Maranto

Lawrence M. Stahl, Managing Administrative Law Judge : Andrea Van Arsdale, Director/Department of Planning
Arnold Jablon, Director/PAI : Jan M. Cook, Development Manager/PAI
Darryl Putty, Project Manager/PAI : Vincent Gardina, Director/DEPS
Nancy West, Assistant County Attorney : Michael Field, County Attorney, Office of Law



RECEIVED

APR 07 2016

BALTIMORE COUNTY
BOARD OF APPEALS

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

KEVIN KAMENETZ
County Executive

April 7, 2016

Patricia A. Malone, Esq.
Adam Rosenblatt, Esq.
Venable, LLP
210 West Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

Peter Max Zimmerman, Esq.
Office of People's Counsel
105 W. Chesapeake Avenue, Room 204
Towson, Maryland 21204

RE: **APPEAL TO BOARD OF APPEALS**
PATAPSCO GLEN - 7726 Johnnycake Road
HOH Case No. 01-0584 and Zoning Case No. 2016-0109-A

Dear Counsel:

Please be advised that appeals of the above-referenced case was filed in this Office on April 1, 2016 and April 5, 2016. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Darryl Putty, Project Manager, Development Processing, PAI
Robert C. Teller and Maribeth Diemer, 10625 St. Paul Ave., Granite, MD 21163
Denise Maranto, 3101 Rices Lane, Windsor Mill, MD 21244
Cathy Wolfson, 8434 Dogwood Road, Windsor Mill, MD 21244
Kathleen Skullney, 10813 Davis Ave., Granite, MD 21163

DEVELOPMENT PLAN APPROVAL *
 PATAPSCO GLEN *
 7726 Johnnycake Rd; NE/S Johnnycake Rd, *
 23' NE of intersection of Park Trail Road *
 1st Election District *
 1st Councilmanic District *
 Security Boulevard Ventures, LLC, Owner *
 U.S. Home Corp., Developer *

BEFORE THE
 OFFICE OF
 ADMINSTRATIVE HEARINGS
 FOR BALTIMORE COUNTY
 PAI CASE NO.: 01-0584
 (Combined Zoning Case No. 2016-109-A)

RECEIVED
 APR 05 2016
 DEPARTMENT OF PERMITS
 APPROVALS AND INSPECTIONS

* * * * *

PETITION ON APPEAL

PEOPLE’S COUNSEL FOR BALTIMORE COUNTY files this petition, per Baltimore County Code Sec. 32-4-281, and states its reasons for appeal to the County Board of Appeals, of the portions of Administrative Law Judge (ALJ) John Beverungen’s March 28, 2016 final Order Upon Motion for Reconsideration which approve the development plan (even conditionally) and a special variance to remove specimen trees,

1. This case involves Security Boulevard Ventures/U.S. Home Corp.’s (SBC/USH’s) combined zoning and development plan (PAI) petitions under County Code Sec. 32-4-230. They propose 368 townhouse dwellings clustered on 58 acres.

2. The zoning petition in Case No. 2016-109-A involves 8 types of variances, each for multiple lots, as described on pages 1-2 of the initial ALJ Order dated February 24, 2016.

3. After a public hearing, ALJ Beverungen issued his February 24, 2016 Order. The Order denied all of the variances and logically “DISAPPROVED” the “PATAPSCO GLEN” redlined Development Plan. “...given the denial of the zoning relief as sought in Case No. 2016-109-A.” At the same time, he granted a special variance to allow removal of specimen trees.

4. SBC/USH filed a motion for reconsideration, thereby staying the time for appeal.

5. Our office filed the attached opposition to explain why the ALJ’s decision to deny the variances was correct and should be confirmed, and that the development plan,

as presently constituted, must be denied. The Greater Patapsco Community Association and area citizens also filed an opposition.

6. On March 28, 2016, ALJ Beverungen issued the final Order On Motion for Reconsideration.

7. ALJ Beverungen properly denied the motion for reconsideration with respect to the petition for variances.

8. Despite the final denial of the variances, ALJ Beverungen approved the development plan, conditioned upon grant of the zoning variance relief or resubmission of a development plan which complies with the development regulations. He also again approved the special variance.

9. People's Counsel respectfully disagrees with and appeals the conditional approval of the development plan and the approval of the special variance because the denial of the variances necessarily requires disapproval of the present development plan as well as the associated special variance to remove specimen trees.

10. It is confusing and contradictory to order development plan approval, conditionally or otherwise, based on the imaginary approval of variances which meanwhile have properly been denied.

11. As a result of the denial of the variances, SBC/USH will have to submit an entirely new development plan, subject to the entire development approval process and another hearing, under Article 32, Title 4 of the County Code.

12. There is a reasonable concern, however, that the ALJ's so-called conditional approval of the development plan might be misinterpreted as affording the applicant some sort of streamlined bureaucratic approval of a new or "revised" plan, without a proper hearing. In the absence of a full process and hearing, there is the potential to miss important zoning and other development issues, and for denial of the opportunity for GPCA, area citizens, and other interested parties to have notice and the opportunity to be heard. There also would need to be a new review of environmental issues on this sensitive property, including any special variance to remove trees.

13. We are aware that U.S. Homes has appealed the denial of zoning variances. Our office will appear at the County Board of Appeals in opposition to U.S. Homes' zoning appeal.

14. Upon final denial of the variances, which we expect for reasons stated in our letter, the County Board of Appeals should clarify, explain, and order that the development plan be disapproved, and that any new SBC/USH plan must go through the development plan process and a new public hearing, including all zoning, development, and/or environmental issues. This includes the special variance to remove trees.

Wherefore, People's Counsel requests that the County Board of Appeals reverse the portions of the final ALJ Order which approves conditionally the development plan and special variance; that the CBA disapprove the development plan and special variance, concurrent with the inevitable denial of the zoning variances; and that the CBA should order that any new development plan is subject to review in accordance with the development plan process and hearing requirements under Article 32, Title 4 of the County Code.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
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Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

DEVELOPMENT PLAN APPROVAL *
PATAPSCO GLEN
7726 Johnnycake Rd; NE/S Johnnycake Rd, *
23' NE of intersection of Park Trail Road *
1st Election District
1st Councilmanic District *
Security Boulevard Ventures, LLC, Owner *
U.S. Home Corp., Developer *

BEFORE THE
OFFICE OF
ADMINSTRATIVE HEARINGS
FOR BALTIMORE COUNTY
PAI CASE NO.: 01-0584
(Combined Zoning Case No. 2016-109-A)

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APR 05 2016
DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

* * * * *

NOTICE OF APPEAL

PEOPLE'S COUNSEL FOR BALTIMORE COUNTY, pursuant to Baltimore County Code Sec. 32-4-281, hereby files an appeal to the County Board of Appeals from the portions of Administrative Law Judge (ALJ) John Beverungen's attached March 28, 2016 final Order On Motion for Reconsideration which approve the development plan (albeit conditionally) and a special variance to remove specimen trees.

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

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

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of April, 2016, a copy of the foregoing Notice of Appeal was mailed to Patricia Malone, Esquire, and Adam Rosenblatt, Esquire, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204; Cathy Wolfson, Zoning Committee Chair for Greater Patapsco Community Association, 8434 Dogwood Road, Windsor Mill, Maryland 21244 and Kathleen S. Skullney, Esquire, 10813 Davis Avenue, Granite, Maryland 21163.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of April, 2016, a copy of the foregoing Petition on Appeal was mailed to Patricia Malone, Esquire, and Adam Rosenblatt, Esquire, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, attorneys for SBC/USH; Cathy Wolfson, Zoning Committee Chair for Greater Patapsco Community Association, 8434 Dogwood Road, Windsor Mill, Maryland 21244 and Kathleen S. Skullney, Esquire, 10813 Davis Avenue, Granite, Maryland 21163, attorney for GPCA and area protestants.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

(7726 Johnnycake Road) *
1st Election District *
1st Council District *

(PATAPSCO GLEN) *

Security Boulevard Ventures, II, LLC, *
Owner *
U.S. Home Corporation, *
Developer

BEFORE THE OFFICE OF
ADMINISTRATIVE HEARINGS
FOR
BALTIMORE COUNTY
**HOH Case No. 01-0584 &
Zoning Case No. 2016-0109-A**

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

Now pending is Developer's Motion for Reconsideration, to which responses have been filed by the Office of People's Counsel and community protestants. The motion will be denied as concerns the variances, although the final order in the case will be amended slightly, as explained below.

Developer's motion raises an interesting issue: in the context of a development case combined with a variance petition, should the "property" being analyzed consist of the entire tract in the aggregate or is each individual lot shown on the development plan a separate property? Although Developer's engineer opined that each lot must be evaluated separately, I believe this is ultimately a question of law. Based upon a review of the briefs, it does not appear as if Maryland courts have squarely addressed the issue.

But in the end it does not matter, because I concur with People's Counsel and protestants that the Developer has not satisfied its burden to show the property is unique (and unlike neighboring properties) in such a way that drives the need for variance relief. The requirements for variance relief are undeniably stringent and have been strictly applied by Maryland courts. As such, the numerous variances requested by Developer must be denied, and the motion for

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Date 3-28-16

By [Signature]

reconsideration will be denied on this basis.

Of course, and as noted by People's Counsel, the Developer will no doubt be able to submit to the County a "variance free" Development Plan in compliance with the Baltimore County Code (B.C.C.). As noted in the original order, protestants' primary arguments at the hearing related to the variances, and the few issues raised concerning the plan itself (i.e., the alleged need for an acceleration lane at the site) cannot justify its disapproval. Thus, and in keeping with applicable case law, I believe the Development Plan should be approved, subject to two conditions which will account for the denial of the variance petition. People's Counsel v. Elm Street Dev., Inc., 172 Md. App. 690, 703 (2007).

Inasmuch as an appeal seems likely in this scenario, I believe it should not be incumbent upon Developer to appeal the plan disapproval, as would be the case under the original Order. This is more than an issue of semantics; it will avoid putting the Developer in the untenable position of appealing the denial of the development plan, which in its own right was not defective under the regulations. In other words, I believe Developer should be required to appeal only the denial in Case No. 2016-0109-A, which is a separate zoning case combined for purposes of hearing only.

WHEREFORE, for the foregoing reasons, IT IS ORDERED by this Administrative Law Judge/Hearing Officer for Baltimore County, this 28th day of **March, 2016**, that the Motion for Reconsideration with respect to the petition for variance, be and is hereby DENIED.

IT IS FURTHER ORDERED that the Petition for Special Variance, permitting the removal of six (6) of thirty-three (33) specimen trees on site, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Patapsco Glen Development Plan, be and is hereby APPROVED, subject to the following conditions:

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Date 3-28-16

By [Signature]

1. Development Plan approval is expressly conditioned upon:

- (a) Grant of variance relief as sought in Case No. 2016-0109-A; or
- (b) Resubmission to Baltimore County of a development plan for the site that complies with the development regulations and does not require variance relief.

Any appeal of this Order shall be taken in accordance with Baltimore County Code, §§ 32-3-401 and 32-4-281.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/dlw

ORDER RECEIVED FOR FILING

Date 3-28-16

By dlw



KEVIN KAMENETZ
County Executive

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

March 28, 2016

Patricia A. Malone, Esq.
Adam Rosenblatt, Esq.
Venable, LLP
210 West Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

Kathleen S. Skullney
10813 Davis Ave
Granite, MD 21163

Peter Max Zimmerman
People's Counsel for Baltimore County
Office of People's Counsel
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

RE: **MOTION FOR RECONSIDERATION –**
Development Plan Hearing and Petition for Variance
PATAPSCO GLEN - 7726 Johnnycake Road
HOH Case No. 01-0584 and Zoning Case No. 2016-0109-A

Dear Counsel:

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

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

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Darryl Putty, Project Manager, Development Processing, PAI
Robert C. Teller and Maribeth Diemer, 10625 St. Paul Ave., Granite, MD 21163
Denise Maranto, 3101 Rices Lane, Windsor Mill, MD 21244
Cathy Wolfson, 8434 Dogwood Road, Windsor Mill, MD 21244



Baltimore County, Maryland

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PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

March 15, 2016

RECEIVED

MAR 15 2016

HAND DELIVERED

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

OFFICE OF ADMINISTRATIVE HEARINGS

Re: PATAPSCO GLEN
Property Owner, Security Boulevard Ventures, II, LLC; C.P., U.S. Home Corp.
7726 Johnnycake Road
Zoning Case No.: 2016-109-A & HOH Case No.: 01-0584

Dear Judge Beverungen,

At the request of the Greater Patapsco Community Association and their experienced chairperson Cathy Wolfson, I have taken a particularly close look at this case, especially the Security Boulevard Ventures (SBV) motion for reconsideration. Upon careful review, it is in the public interest to state why your February 24, 2016 opinion and order to deny SBV's request for 8 variances is correct and should be confirmed.

SBV requests 7 and 8 townhouses in a group to exceed the maximum 6, encroachments into the residential transition area (RTA), and other serious deviations. SBV complains that the denial is in error because focused on individual lots rather than the entire property. But to focus on lots is appropriate where a developer takes a vacant tract and chooses to set up lots with multiple area variances. Alternatively, if the tract is viewed as an entirety, the petition anyway does not meet applicable criteria as a matter of law. Moreover, the alleged environmental issues are not unique and do not trump zoning variance law.

Realistically, SBV's variances function to add density and revenue. Their focus on environmental controls masks the underlying purpose. Developers can and must comply both with zoning law and satisfy environmental standards. It just means adjustments or changes to the plan. Otherwise, if allowed to deviate, to quote Judge Smith in Board of County Comm'rs v. Gaster 285 Md. 233, 249 (1979), SBV here, "...the developer, not the constituted authority of the county, is in control of planning for the future of the county."

1) The traditional focus, function, and history of variance law.

a) Context.

A basic purpose of a variance is to afford an individual property owner some reasonable use of property. Trinity Assembly of God v. People's Counsel 407 Md. 53, 79-85 (2008). As Dean Patricia Salkin put it in 2 American Law of Zoning (5th Ed. 2009), Sec. 13:1,

“The underlying purposes of administrative relief are discussed in a later chapter, but specifically with respect to variances, it is said that a variance is ‘designed as an escape hatch from the literal terms of the ordinance which if strictly applied, would deny a property owner all beneficial use of this or her land and thus amount to confiscation.’”

While Maryland cases do not equate variance standards precisely with confiscation standards, their focus is on the individual property owner's use of his property. Where the request is to develop a subdivision, here with 368 dwellings, it does make sense to look at the case from the perspective of subdivision lots, and determine whether each lot can be developed consistent with the regulations. As the ALJ stated, on page 7, Richard Matz conceded “... each variance needs to be approved individually.” There is no doubt in the present case that lots can be developed to meet the relevant standards, as is true with virtually every subdivision of any magnitude.

b) Maryland cases.

The overwhelming majority of cases – many from Baltimore County -- involve additions, expansions, accessory buildings, or signs on individual lots. Easter v. Mayor & City Council 195 Md. 395 (1950); Carney v. City of Baltimore 201 Md. 130 (1952); Park Shopping Center v. Lexington Park Theatre Co. 216 Md. 271 (1958); Burns v. Mayor & City Council 251 Md. 554 (1968); Daihl v. County Board of Appeals 258 Md. 157 (1970); Red Roof Inns v. People's Counsel 96 Md. App. 219 (1993); North v. St. Mary's County 99 Md. App. 502 (1994); Cromwell v. Ward 102 Md. App. 691 (1995); Umerley v. People's Counsel 108 Md. App. 497 (1996); Riffin v. People's Counsel 137 Md. App. 90, cert. denied 363 Md. 660 (2001); Montgomery County v. Rotwein 169 Md. App. 716 (2006); Chesley v. City of Annapolis 176 Md. App. 413 (2007); Trinity Assembly of God v. People's Counsel 407 Md. App. 53 (2008).

In Petition for Variance, Floyd and Renay Rothstein, Case No. 2016-076-A, Dec. 3, 2015, Judge Beverungen accurately observed that where there is neighborhood opposition to a variance, “... the petitioner faces an uphill battle.” Judge Beverungen continued, on page 3,

“In fact, I was unable to locate a Maryland appellate court opinion from the last twenty years which upheld the grant of a variance.”

Judge Cathell's landmark Cromwell v. Ward 102 Md. App. 691 (1995) reflects the consistent focus on individual lots in every case, even the few (5) cases he cited that had approved variances (which he distinguished or criticized and were then at least 21 years old).

The many petitions which had to be denied were generally much more sympathetic than the present case. They involve homeowners, churches, and businesses who sought to add to

existing lot uses, typically just for additions, garages, gazebos, signs, and the like, in contrast to the compound deviations which SBV chooses to manufacture. Past petitioners have sometimes alleged personal issues; others economic concerns or advantage; some planning office or other staff support. They run the gamut. But at bottom they still involve a property owner's choice, convenience, or preference, typically clothed as well planned or otherwise worthy.

A variance case does not improve by multiplication of number of lots and species of variances. It just gets much more problematic. In conversation, Cathy Wolfson put it well: "Design by variance." We could also call it, conversely, variance by design.

2) **If viewed as an entire tract, there is still no justification for any variances.**

a) **Chester Haven redux**

The most telling case is Chester Haven Beach Partnership v. Board of Appeals 103 Md. App. 324 (1995), where the Court sustained the zoning board denial of variances. The applicant sought development approval to exceed just the related density requirements of no more than 6 units per cluster and 30% of the dwelling units in any single block. Referring to the history of a previously recorded subdivision plat, Judge Cathell noted, "No claim was made below that these previous lots were unique". Indeed, as he explained,

"All of its variance requests concern what it perceives to be necessary to meet the requirements of a change in its development plan from single family to group or cluster living necessitated by the current demand, not of zoning codes, but of environmental regulations (and economic conditions), especially the requirements of complying with the Chesapeake Bay Critical Area regulations. We are not unsympathetic to the plight of a property owner caught between local zoning codes and environmental regulations. We later herein suggest the correct method of addressing this issue. But, an offer to build below density, if a conditional use acceptable to environmental regulators changing the character of the use of the property is granted, does not satisfy the requirement of variance law that the land itself be inherently unique and different from the remainder of the land in the area." 103 Md. App. at 332.

SBV's variances are more numerous and objectionable than those requested in Chester Haven. They are geared to get more density than would occur with legal compliance.

Another variance case involving subdivision is Salisbury Bd. Of Appeals v. Bounds 240 Md. 547 (1965). The Court of Appeals sustained denial of just one additional apartment.

b) **Trinity Assembly of God; Uniqueness and Practical Difficulty; Parameters of Uniqueness: Causation of Practical Difficulty; the Requisite Nexus**

Judge Harrell framed the parameters of "uniqueness" in Trinity Assembly. 407 Md. at 81,

"To be "unique," a property must "have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, sub-surface condition,

environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions.”

He also confirmed and clarified that, for the purpose of zoning variance law, the uniqueness must be such as to result in practical difficulty. 407 Md. at 82.

“The disproportionate impact consideration, if viable, exists because of the notion that it is not enough for a landowner or user to show merely that the property is somehow physically peculiar or unique; she, he, or it also must prove, to the satisfaction of the tribunal, a connection between the property's inherent characteristics and the manner in which the zoning law hurts the landowner or user. Where a property's physical peculiarities do not cause the landowner to suffer disproportionately due to application of the zoning enactment in question, the property is not “unique” in the law of variances”

Lastly, Judge Harrell reiterated the criteria for “practical difficulty.” 407 Md. at 83-84.

“1) Whether compliance with the strict letter of the restrictions governing area, set backs, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.

2) Whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

3) Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.”

A common flaw in zoning cases is the petitioner's selection of a purported distinction which is unrelated to the property, to practical difficulty, or both. As we shall see in the next section, SBV's claim of the distinction of a “high density growth” zone is flawed both ways.

There is nothing here peculiar or unique about SBV's 58-acre property which causes difficulty or hardship. The existence of environmental constraints on a 58-acre watershed property is predictable. Environmental controls apply to all vacant development tracts. This is logically and ordinarily factored into purchase price and other negotiations. SBV's property is one of many tracts in the Patapsco watershed, itself just one of many county watersheds. So it is no surprise that the developer must adjust to a variety of recognized environmental limitations.

That the D.R. zoning differs from some adjacent properties zoned R.C. 6 does not translate to uniqueness. Moreover, in view of the public welfare criterion, the resource conservation zone border calls for reduction of density, not magnification.

3) SBV's Fallacious Premise as to Uniqueness

As to uniqueness, SBV's cosmetic and delusive claim, in paragraph 3 of their motion, is,

"The difference between this property and the 'nearly 1,000 acres' of adjacent or nearby RC 6 zoned land is that this property has been slated for *high density growth* by the Baltimore County Council." Emphasis in original.

This flawed premise disregards that a difference in adjacent zoning has nothing to do with any unique physical or other characteristic of the property relevant to variance law, or to practical difficulty in development. In the same vein as Judge Harrell in Trinity Assembly, Judge Cathell previously quoted McQuillin, in Cromwell, 102 Md. App. at 719,

"[I]t is not uniqueness of the plight of the owner, but uniqueness of the land causing the plight, which is the criterion."

SBV also disregards that, along with the D.R. Zoning classification, the County Council has prescribed a set of area standards which also must be satisfied. If SBV's argument were followed, every D.R. Zone property would be entitled to variances in order to satisfy the developer's density preferences. Indeed, there are always going to be borders between higher and lower density residential zones. There are going to be borders between types of zones. This is transparently a vacuous argument for a variance, much less multiple variances.

SBV's preoccupation with its "high density growth" zone is reminiscent of the argument Judge Deborah Eyler rejected in Ware v. People's Counsel 223 Md. App. 669, cert. denied 445 Md. 128 (2015). There, petitioner Lucy Ware spun that because her requested church use was permitted by right, she should not have to comply with RTA standards. The Court emphatically disposed of this misguided assertion. SBV's argument here is even more delusive.

4) The Public Welfare and SBV's Inversion of the Adjacent R.C. 6 Zone

Another flaw in SBV's premise is the disregard of the BCZR Sec. 307.1 public safety, health and welfare criterion of the practical difficulty standard. SBV's requested variances facilitate additional density close to sensitive R.C. zoned land. It makes no sense to deviate from legislative standards to magnify density next to such an area. Indeed, it is a perverse argument.

5) The Richmond American Homes Case

The Board of Appeals decision in Richmond American Homes, Case No. 96-120-SPHA (1996) is of interest. Richmond American requested an amendment to its final development plan for variances just to add side windows to end units of townhomes. Furthermore, since the approval of the original development plan, the zoning regulations had been amended so that the side window restrictions would not apply to new developments. But the regulations in place at the time of the original plan still applied.

There was opposition to the variances by area citizens and the Lochearn Community Association for a variety of reasons. In denying the variances, the County Board of Appeals observed that the variances were "... for marketing and aesthetic reasons." Page 4.

SBV asks for variances more significant in number, type, and magnitude than those denied in Richmond. They share, however, the emphasis on marketing.

6) The Diversionary Factor of County Staff Support

The support of county staff is at best a distraction or false track. As Judge Cathell took the time to emphasize in Chester Haven, 103 Md. App. at 340,

"Before concluding, we have two observations. First, the professional staff abdicated its responsibility in its role in respect to conditional uses and variances. It recommended favorably that, which, if granted, would have been clearly illegal and arbitrary. We can understand, however, that, in areas where severe environmental regulation, *i.e.*, critical area regulations, overlay zoning regulations, the two statutory schemes can be in irreconcilable conflict. What is permitted by one scheme may be prohibited by the other. When that occurs-and it may well have occurred here- we perceive that there can exist extreme pressure within the staff to attempt to reconcile the irreconcilable. While the desire to rectify the problem is understandable, planning staff should not put itself in a position, or allow itself to become so positioned, of recommending that which the zoning code prohibits. The problems that may exist in the interplay between environmental and zoning regulations may well call for legislative attention. It is not, however, the function of staff to make such policy decisions in the absence of legislative action. We do not perceive that it was the legislative intention in passing the State or local critical area legislation that zoning variance procedures would be prostituted in order to alleviate the harshness of environmental regulation. If that is the intention of the legislative entities, they have the power to express clearly that intention."

SBV does not face such major problems as the developer faced in Chester Haven. It is just SBV's preference, clothed with staff support, to justify its marketing agenda.

Another case involving planning staff support, merely for a front yard setback variance for dwelling and garage, is Chesley v. City of Annapolis 176 Md. App. 413, 435 (2007). Sustaining the denial of the variance, the Court wrote, among other things, "... the typical constraints of waterfront development within the critical area and the view cone covenant do not in and of themselves necessitate the requested variance." The Court also rejected the argument that the applicants were placing the garage "... where the City's Planning Department preferred."

7) Economic and financial issues not a justification

An essential function of the variances here is to arrange more lots and thereby obtain more revenue. As a corollary to the requirement that the unique practical difficulty must relate to the land, it is basic that revenue and cost factors do not justify a variance. Variance claims should not be based on financial considerations. Easter v. Mayor & City Council 195 Md. 395

(1950); Burns v. Mayor & City Council 251 Md. 554 (1968); Daihl v. County Board of Appeals 258 Md. 157 (1970). Daihl quoted Easter, 195 Md. at 400,

“The mere fact that a variance would make the property more profitable is not a sufficient ground to justify a relaxation of setback requirements.”

With 58 acres, SBV can use the property within the law for a variety of permitted uses by right and special exception, including residential subdivision. SBV chooses and prefers not to do so. It is, as Cathy Wolfson said, “Design by Variance.”

8) The Density Variance Problem.

The underlying and effective function of the multiple area variances is plainly to add subdivision lot density. As the ALJ described Richard Matz’ testimony on page 7, “He indicated that one of the purposes of the variance petition was to ‘get density’ for the project.” Also, the maximum 6 townhouses in a group is itself a density standard. But the BCZR Sec. 307.1 scope of height, area, parking, and sign variances does not allow for density variances. “They shall have no power to grant any other variances.”

Conclusion

For all of these reasons, SBV’s motion for reconsideration should be denied. This also means that, as presently constituted, the development plan must be disapproved.

Sincerely,



Peter Max Zimmerman
People’s Counsel for Baltimore County

cc: Patricia Malone, Esquire, attorney for Petitioner
Adam Rosenblatt, Esquire, attorney for Petitioner
Cathy Wolfson, Greater Patapsco Community Association
Kathleen Skullney, Esquire, attorney for Protestants

IN RE: DEVELOPMENT PLAN HEARING & * BEFORE THE OFFICE OF
 PETITION FOR VARIANCE *
 (7726 Johnnycake Road) * ADMINISTRATIVE HEARINGS
 1st Election District *
 1st Council District * FOR
 (PATAPSCO GLEN) * BALTIMORE COUNTY
 Security Boulevard Ventures, II, LLC, *
 Owner * HOH Case No. 01-0584 &
 U.S. Home Corporation, * Zoning Case No. 2016-0109-A
 Developer

* * * * *

**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 and Adam M. Rosenblatt, Esquire, with Venable, LLP, on behalf of Security Boulevard Ventures, II, LLC, *Owner*, and U.S. Home Corporation, *Developer* of the subject property, (hereinafter "the Developer"), submitted for approval a redlined Development Plan ("Plan") prepared by Colbert, Matz & Rosenfelt, Inc., known as "Patapsco Glen."

The Developer is proposing 376 single-family attached dwellings on a total of 58.6 acres, more or less, of which 54.9 acres is zoned D.R. 10.5 (density residential, 10.5) the balance being BM-IM (Business Major with an Industrial Major District Overlay) with associated parking and road network.

The Developer also has filed a Petition for Variance pursuant to § 307.1 of the Baltimore County Zoning Regulations (B.C.Z.R) to approve the following:

1. From B.C.Z.R. § 1B01.2.C.1.c to permit front building face to property line setbacks ranging from 4 ft. to 20 ft. in lieu of the required 25 ft.,

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Date 2-24-16

By DW

2. From B.C.Z.R. § 1B01.2.C.1.c to permit rear building face to property line setbacks ranging from 17 ft. to 27 ft. in lieu of the required 30 ft.,
3. From B.C.Z.R. § 1B01.2.C.1.c pursuant to § 504.2 of the B.C.Z.R. and the Comprehensive Manual of Development Policies CMDP, Division II, Section A: Residential Standards, Table VII, to permit side building face to side building face setbacks of 20 ft. in lieu of the required 25 ft.,
4. From § 504.2 and CMDP, Division 2, Section A, Residential Standards, to permit 7 and 8 townhouse units in a group in lieu of the maximum permitted 6 townhouse units in a group,
5. To permit 10 ft. deep decks to extend into the required rear yards which will exceed the 25 % maximum projection permitted by § 301.1,
6. From B.C.Z.R. § 1B01.2.C.1.c to permit building face to tract boundary setbacks of 27 ft. in lieu of the required 30 ft.,
7. From B.C.Z.R. § 1B01.B.1 pursuant to B.C.Z.R. § 504.2 and CMDP, Division 2, Section A, Residential Standards, to allow a reduction in the required Residential Transition Area (RTA) to allow units to encroach into the required buffer and setback areas (setbacks for units to tract boundary vary from 42-65 ft.) and to exceed the maximum height of 35 ft.,
8. From B.C.Z.R. § 504.2 and CMDP, Division 2, Section A, Residential Standards, to permit a private rear yard area less than 50 sq. ft., and
9. Additional relief as deemed necessary by the Administrative Law Judge (ALJ).

The development and zoning cases were considered at a combined hearing, permitted by Baltimore County Code (B.C.C.) § 32-4-230. Details of the proposed development are more fully depicted on the redlined eight-sheet Development Plan that was marked and accepted into evidence as Developer's Exhibit 1A-1H. The property was posted on December 21, 2015 with the Notice of Hearing Officer's Hearing and Zoning Notice, in compliance with the regulations. The undersigned conducted the hearing on January 22, 2016, at 10:00 AM, Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland.

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Date 2-24-16

By [Signature]

In attendance at the Hearing Officer's Hearing (HOH) in support of the Plan was professional engineer Richard Matz, with Colbert Matz Rosenfelt, Inc., the consulting firm that prepared the site plan. Patricia A. Malone, Esquire and Adam M. Rosenblatt, Esquire appeared and 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, Project Manager, Dennis A. Kennedy and Jean M. Tansey (Development Plans Review [DPR]), and Brad Knatz, Real Estate Compliance. Also appearing on behalf of the County were Jeff Livingston from the Department of Environmental Protection and Sustainability (DEPS), and Brett Williams from the Department of Planning (DOP). Several members of the community attended the hearing and opposed certain aspects of the project which will be discussed below.

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 (with the exception of Ms. Tansey) indicated that the redlined Development Plan addressed any comments submitted by their agency, and they each recommended approval of the Plan. Mr. Williams noted DOP had approved a Pattern Book for the development (Developer's Exhibit 5), and he also presented a school analysis (Baltimore County Exhibit 1) indicating that the area schools are not overcrowded using state guidelines. Ms. Tansey, the County's landscape architect, indicated the Developer provided sufficient land on site to satisfy the Local Open Space regulations though a waiver was granted with regard to certain standards (i.e., width and grade of parcel), as noted in Baltimore County Exhibit 2. Ms. Tansey also noted that as of the date of the hearing a schematic landscape plan had not been approved. Thereafter, in an email dated February

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Date 2-24-16

By [Signature]

12, 2016, Ms. Tansey indicated she had approved a schematic landscape plan for the project.

In its case in chief, the Developer presented three (3) witnesses, each of whom was accepted as an expert based upon his education, training and experience. First was Zach Lette, a registered landscape architect. Mr. Lette began his testimony by describing his professional experience and background. He noted that the subject property was unique with prominent ridges and many specimen trees. He also testified that a significant amount of time was invested in collaboration with the DOP to put the "best architecture forward" onto Johnnycake Road when designing this project. The witness noted that although the overall tract is 58 acres (zoned DR 10.5), only 36 acres is able to be developed, given the steep slopes, buffers and other environmental constraints. Based on that 36 acre figure, Mr. Lette testified that the property would yield 378 density units, while only 368 units were being proposed. Mr. Lette described in detail the seven (7) different unit types proposed in the project, which would range between 1,800 and 2,400 sq. ft. Mr. Lette testified that the "long vistas" into the forest make this project special.

In response to questions on cross-examination, Mr. Lette confirmed that this was his first involvement in a development project in Baltimore County. He indicated that he did review the 1998 Patapsco-Granite Community Plan, but was not intimately familiar with its contents. The witness also noted that the Plan reveals a natural buffer to be retained between the subject property and the adjoining RC zoned tracts.

The next witness was Richard Matz, a licensed professional engineer. Mr. Matz explained in detail the features on the eight-sheet Development Plan, and also discussed each of the variance requests, as detailed in a subsequent portion of this Order. Mr. Matz testified that the project will comply with current storm water management regulations, and would feature a variety of storm water management devices including bioretention facilities, level spreaders and micro-bio-

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Date 2-24-16

By 

retention facilities. Mr. Matz opined that the Developer satisfied all Baltimore County rules and regulations governing the development and zoning requests.

The final witness in the Developer's case was John Rohde, a registered landscape architect. Mr. Rohde testified that his firm prepared and submitted to Baltimore County a special variance request, which would permit the removal of six (6) of 33 specimen trees on the subject property. See, Developer's Exhibit 12. Mr. Rohde noted that the special variance application was granted by Baltimore County in correspondence dated September 29, 2015, which was admitted as Developer's Exhibit 13.

Under the B.C.C., a petition for special variance is granted by the Director of DEPS, and is then considered a recommendation to the Hearing Officer "who may either grant or deny the special variance requested." B.C.C. § 33-6-116(g)(2)(i). Mr. Rohde also correctly noted that although a Developer must show an "unwarranted hardship" to be granted a special variance, the standards applicable thereto are stated in the disjunctive in B.C.C. § 33-6-116(d). In this regard, Mr. Rohde testified that the grant of the special variance involving just six (6) trees (only 2 of which were in good condition) would in no way alter the "essential character of the neighborhood." B.C.C. § 33-6-116(d)(3). I concur, especially considering that over 20 acres of the site will be retained to preserve existing environmental features, and the removal of two (2) healthy trees will in no way alter the "essential character" of this neighborhood. As such, the special variance will be granted in the Order below.

Thereafter, both Cathy Wolfson and Kathleen Skullney, nearby residents, testified concerning their objections to the project. Ms. Wolfson expressed dismay that the property was up zoned in 2008, and stated that acceleration and deceleration lanes would be required to safely navigate Johnnycake Road along the subject property. Ms. Wolfson also reviewed each of the

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By SW

variance requests, and took umbrage that the Developer presumed such requests would be granted by designing the features into the Plan. In addition, Ms. Wolfson noted that the project was simply too close to RC zoned tracts, and was not a “walkable” development, given that the nearest commercial use or store is located 1.7 miles from the site.

Ms. Skullney echoed many of the same concerns, and she contended that the facts in the case reveal that the variance request should be disapproved. She noted that, as conceded by Mr. Matz, the limitations and environmental constraints on the property were known to the Developer from 2013 forward, and thus were not a surprise. Ms. Skullney also objected to the fact that variance relief was required for each of the 368 units, and she suggested that Mr. Matz did not provide sufficient testimony to justify the variance relief.

The Developer presented one witness in its rebuttal case, Joseph Fortino, who has worked with Lenore Homes for the last four (4) years. Mr. Fortino described his extensive experience in the home building field, and noted that he had developed over 10,000 residential lots during his career. He testified that Lenore is the second largest builder in the United States, and designs projects to achieve a “wow” factor. Mr. Fortino acknowledged the Developer knew about the environmental constraints prior to submitting its plans, and he agreed that such features are found on many development projects of a similar scale and nature. The witness noted that it was difficult to satisfy every rule imposed by a local jurisdiction, but emphasized that quality, not higher density, was the Developer’s ultimate goal. Mr. Fortino testified that the project would not be feasible if all zoning setbacks were observed, and he stressed that it was important to consider things other than just the dictates set forth in “rule books.” In that regard, the witness noted that the more houses it is able to construct at the site, the more amenities it can provide to prospective residents and the community.

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By DW

ZONING REQUESTS

The Petition for Variance seeks relief from a variety of setbacks and other aspects of the Baltimore County Zoning Regulations (B.C.Z.R). With regard to the RTA variance (listed as request #7), Mr. Lette opined that the grant of setback relief would not be injurious to the community, since the proposed design of the homes is compatible with existing development in the area. He also noted that Johnnycake Road is included within the RTA and that it serves as an effective buffer. Mr. Matz provided more extensive testimony on the zoning requests, both on direct and cross-examination. He indicated that one of the purposes of the variance petition was to “get density” for the project. Mr. Matz also testified most families do not use the rear yard area in townhomes, since children frequently are inside using electronic devices. The witness indicated environmental constraints limited the usable areas of the site and that if variance relief was denied the project would fail given the expense incurred to install the necessary water and sewer infrastructure.

On cross-examination, Mr. Matz reviewed each of the eight (8) variance requests, and confirmed that (at least with respect to variance #1) all 368 units would require zoning relief. The witness thereafter conceded that all 368 lots or units, rather than the overall 58 acre site, must be shown to be unique. In response to a question posed by Ms. Skullney (who is an attorney), the witness agreed that “each variance needs to be approved individually.”

In light of this testimony, and considering the substantial evidentiary burden which must be satisfied to obtain variance relief, I believe the zoning Petition must be denied. Maryland courts have emphasized that variances are “rarely appropriate” and should be granted “sparingly,” and only when a Petitioner is able to prove his property is unique or different in some way from surrounding properties. Cromwell v. Ward, 102 Md. App. 691 (1995).

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By ew

In this case, the Developer's witnesses did identify certain unique aspects of the overall site (i.e., steep slopes, wetlands and other environmental features). But no evidence was presented to establish that each of the 368 lots was unique or peculiar in any way when compared to neighboring properties. As such, the zoning petition will be denied.

As noted at the outset, this proceeding involved development, zoning and environmental issues, and the standard of review on appeal is different for each. Accordingly, each aspect of the case is set forth in a separate order, which will facilitate further review. The Development Plan is disapproved only because the zoning petition will be denied. In other words, if the requested variances had been granted, the Development Plan would have been approved based upon the testimony of County staff and Developer's experts.

THEREFORE, IT IS ORDERED by this Administrative Law Judge/Hearing Officer for Baltimore County, this 24th day of February, 2016, that the "PATAPSCO GLEN" redlined Development Plan in PAI Case No. 01-0584, marked and accepted into evidence as Developer's Exhibit 1A-1H, be and is hereby **DISAPPROVED**, given the denial of zoning relief as sought in Case No. 2016-0109-A.

IT IS FURTHER ORDERED that the Petition for Variance pursuant to § 307.1 of the Baltimore County Zoning Regulations (B.C.Z.R) in Case No. 2016-0109-A to approve the following:

1. From B.C.Z.R. § 1B01.2.C.1.c to permit front building face to property line setbacks ranging from 4 ft. to 20 ft. in lieu of the required 25 ft.,
2. From B.C.Z.R. § 1B01.2.C.1.c to permit rear building face to property line setbacks ranging from 17 ft. to 27 ft. in lieu of the required 30 ft.,
3. From B.C.Z.R. § 1B01.2.C.1.c pursuant to § 504.2 of the B.C.Z.R. and the Comprehensive Manual of Development Policies CMDP, Division II, Section A: Residential Standards, Table VII, to permit side building face to side building face setbacks of 20 ft. in lieu of the required 25 ft.,

ORDER RECEIVED FOR FILING

Date 2-24-16

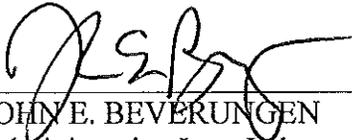
By [Signature]

4. From § 504.2 and CMDP, Division 2, Section A, Residential Standards, to permit 7 and 8 townhouse units in a group in lieu of the maximum permitted 6 townhouse units in a group,
5. To permit 10 ft. deep decks to extend into the required rear yards which will exceed the 25 % maximum projection permitted by § 301.1,
6. From B.C.Z.R. § 1B01.2.C.1.c to permit building face to tract boundary setbacks of 27 ft. in lieu of the required 30 ft.,
7. From B.C.Z.R. § 1B01.B.1 pursuant to B.C.Z.R. § 504.2 and CMDP, Division 2, Section A, Residential Standards, to allow a reduction in the required Residential Transition Area (RTA) to allow units to encroach into the required buffer and setback areas (setbacks for units to tract boundary vary from 42-65 ft.) and to exceed the maximum height of 35 ft., and
8. From B.C.Z.R. § 504.2 and CMDP, Division 2, Section A, Residential Standards, to permit a private rear yard area less than 50 sq. ft.,

be and is hereby **DENIED**.

IT IS FURTHER ORDERED that the Petition for Special Variance, permitting the removal of six (6) specimen trees at the subject property, be and is hereby **GRANTED**.

Any appeal of this Order shall be taken in accordance with Baltimore County Code, §§ 32-3-401 and 32-4-281.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/dlw

ORDER RECEIVED FOR FILING

Date 2-24-16

By pw



KEVIN KAMENETZ
County Executive

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

February 24, 2016

Patricia A. Malone, Esq.
Adam Rosenblatt, Esq.
Venable, LLP
210 West Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

RE: Development Plan Hearing and Petition for Variance
PATAPSCO GLEN - 7726 Johnnycake Road
HOH Case No. 01-0584 and Zoning Case No. 2016-0109-A

Dear Counsel:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal line extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Darryl Putty, Project Manager, Development Processing, PAI
Robert C. Teller and Maribeth Diemer, 10625 St. Paul Ave., Granite, MD 21163
Denise Maranto, 3101 Rices Lane, Windsor Mill, MD 21244
Cathy Wolfson, 8434 Dogwood Road, Windsor Mill, MD 21244
Kathleen Skullney, 10813 Davis Ave., Granite, MD 21163

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
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<u>11-16</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
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_____	DEPS (if not received, date e-mail sent _____)	_____
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_____	FIRE DEPARTMENT	_____
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_____	PLANNING (if not received, date e-mail sent _____)	_____
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<u>11-12</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
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_____	TRAFFIC ENGINEERING	_____
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_____	COMMUNITY ASSOCIATION	_____
-------	-----------------------	-------

_____	ADJACENT PROPERTY OWNERS	_____
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ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 12-31-15

SIGN POSTING Date: 12-21-15 by Black

PEOPLE'S COUNSEL APPEARANCE Yes No

PEOPLE'S COUNSEL COMMENT LETTER Yes No

Comments, if any: _____

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration						
Account Identifier:		District - 01 Account Number - 2500010554								
Owner Information										
Owner Name:	SECURITY BOULEVARD VENTURES II LLC		Use: Principal Residence:	RESIDENTIAL NO						
Mailing Address:	1 OLYMPIC PLACE STE 1210 TOWSON MD 21204-		Deed Reference:	/36157/ 00275						
Location & Structure Information										
Premises Address:	7726 JOHNNYCAKE RD BALTIMORE 21244-1217		Legal Description:	58.6109 AC 7726 JOHNNYCAKE RD NS 3250 FT ES HOLFELD RD						
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0087	0022	0261		0000				2016	Plat Ref:	
Special Tax Areas:			Town: Ad Valorem: Tax Class:			NONE				
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area		Property Land Area	County Use				
					58.6109 AC	04				
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
Value Information										
	Base Value		Value As of 01/01/2016		Phase-in Assessments As of 07/01/2015		As of 07/01/2016			
Land:	1,340,600		1,340,600							
Improvements	0		0							
Total:	1,340,600		1,340,600		1,340,600		1,340,600			
Preferential Land:	0						0			
Transfer Information										
Seller: SECURITY BOULEVARD VENTURES LLC			Date: 05/08/2015			Price: \$0				
Type: NON-ARMS LENGTH OTHER			Deed1: /36157/ 00275			Deed2:				
Seller: WILSON DAVID A/KALB JAMES A TR			Date: 10/06/2010			Price: \$2,800,000				
Type: ARMS LENGTH IMPROVED			Deed1: /29968/ 00392			Deed2:				
Seller:			Date:			Price:				
Type:			Deed1:			Deed2:				
Exemption Information										
Partial Exempt Assessments:	Class				07/01/2015		07/01/2016			
County:	000				0.00					
State:	000				0.00					
Municipal:	000				0.00 0.00		0.00 0.00			
Tax Exempt Exempt Class:			Special Tax Recapture: NONE							
Homestead Application Information										
Homestead Application Status: No Application										

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 31, 2105 Issue - Jeffersonian

Please forward billing to:

Adam Rosenblatt
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6200

NOTICE OF ZONING HEARING

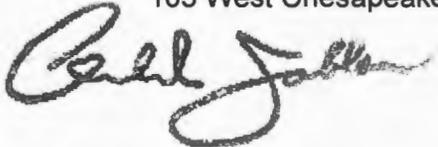
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2016-0109-A

7726 Johnnycake Road
NE/s Johnnycake Road, 23 ft. N/e of intersection of Park Trail Road
1st Election District – 1st Councilmanic District
Legal Owners: Security Boulevard Ventures, II, LLC
Contract Purchaser: US Home Corporation

Variance 1. To permit front building face to property line setbacks ranging from 4 ft. to 20 ft. in lieu of the required 25 ft. 2. To permit rear building face to property line setbacks ranging from 17 ft. to 27 ft. in lieu of the required 30 ft. 3. To permit side building face to side building face setbacks of 20 ft. in lieu of the required 25 ft. 4. To permit 7 and 8 townhouse units in a group in lieu of the maximum permitted 6 townhouse units in a group. 5. To permit 10 ft. deep decks to extend into the required rear yards which will exceed the 25 % maximum projection permitted. 6. To permit building face to tract boundary setbacks of 27 ft. in lieu of the required 30 ft. 7. To allow a reduction in the required Residential Transition Area (RTA) to allow units to encroach into the required buffer and setback areas (setbacks for units to tract boundary vary from 42-65 ft.) and to exceed the maximum height of 35 ft. 8. To permit a private rear yard area less than 50 sq. ft. 9. Additional relief as deemed necessary by the Administrative Law Judge.

Hearing: Friday, January 22, 2016 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.



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 7726 Johnnycake Road which is presently zoned DR 10.5
Deed Reference 36157 / 00275 10 Digit Tax Account # 2 5 0 0 0 1 0 5 5 4
Property Owner(s) Printed Name(s) Security Boulevard Ventures II LLC

CASE NUMBER 2016-0109-A Filing Date 10/29/15 Estimated Posting Date / / Reviewer

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

See Attached
Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners:

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

Attorney for Petitioner:

Patricia A. Malone
Name- Type or Print

[Signature]
Signature

210 W. Pennsylvania Avenue, Towson MD
Mailing Address City State

21204 / 410-494-6206
Zip Code Telephone # Email Address

Representative to be contacted:

Patricia A. Malone
Name - Type or Print

[Signature]
Signature

210 W. Pennsylvania Avenue, Towson MD
Mailing Address City State

21204 / 410-494-6206 / pamalone@venable.com
Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING

Date 2-24-16

By [Signature]

**Attachment for
Petition for Variance**

**Patapsco Glen
7726 Johnnycake Road**

Petition for Variance, pursuant to BCZR Section 307.1, to approve the following variances:

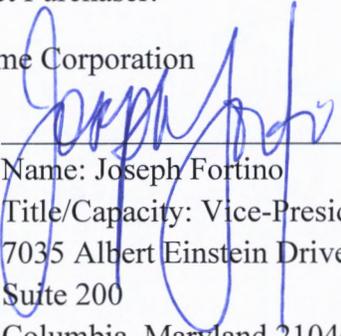
1. Variance from BCZR Section 1B01.2.C.1.c to permit front building face to property line setbacks ranging from 4 feet to 20 feet in lieu of the required 25 feet.
2. Variance from BCZR Section 1B01.2.C.1.c to permit rear building face to property line setbacks ranging from 17 feet to 27 feet in lieu of the required 30 feet.
3. Variance from BCZR Section 1B01.2.C.1.c, pursuant to Section 504.2 of the BCZR and the CMDP, Division II, Section A: Residential Standards, Table VII, to permit side building face to side building face setbacks of 20 feet in lieu of the required 25 feet.
4. Variance from BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to permit 7 and 8 townhouse units in a group in lieu of the maximum permitted 6 townhouse units in a group.
5. Variance to permit 10 foot deep decks to extend into the required rear yards, which will exceed the 25% maximum projection permitted by BCZR Section 301.1.
6. Variance from BCZR Section 1B01.2.C.1.c to permit building face to tract boundary setbacks of 27 feet in lieu of the required 30 feet.
7. Variance from BCZR Section 1B01.B.1, pursuant to BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to allow a reduction in the required Residential Transition Area (RTA) to allow units to encroach into the required buffer and setback areas (setbacks for units to tract boundary vary from 42-65 feet) and to exceed the maximum height of 35 feet.
8. Variance from BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to permit a private rear yard area of less than 500 square feet.
9. Additional relief as deemed necessary by the Administrative Law Judge.

**Attachment for
Petition for Variance**

**Patapsco Glen
7726 Johnnycake Road**

Contract Purchaser:

US Home Corporation

By: 

Name: Joseph Fortino
Title/Capacity: Vice-President
7035 Albert Einstein Drive
Suite 200
Columbia, Maryland 21046

**Attachment for
Petition for Variance**

**Patapsco Glen
7726 Johnnycake Road**

Legal Owner:

Security Boulevard Ventures II LLC

By:

Name:

Title/Capacity:

1 Olympic Place

Suite 1210

Towson, Maryland 21204

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION
7726 Johnnycake Road
Baltimore County, Maryland
Tax Account Number 2500010554

Beginning at a point in Johnnycake Road, which has a variable width at the distance of 23 feet, more or less, northeast of the centerline of the nearest improved intersecting street Park Trail Road which is 50 feet wide. Thence the following courses and distances:

S 56° 33' 43" W 354.21 ft.,
S 54° 18' 43" W 834.84 ft.,
S 52° 09' 29" W 363.82 ft.,
S 60° 37' 38" W 57.17 ft.,
S 71° 28' 32" W 67.95 ft.,
S 77° 17' 36" W 20.98 ft.,
S 86° 17' 27" W 34.92 ft.,
N 83° 52' 33" W 34.62 ft.,
N 74° 44' 29" W 35.04 ft.,
N 67° 07' 23" W 38.66 ft.,
N 03° 08' 17" E 1642.60 ft.,
N 59° 50' 20" W 564.23 ft.,
N 48° 12' 02" E 341.21 ft.,
N 68° 42' 03" E 411.07 ft.,
N 03° 01' 28" W 87.50 ft.,
N 80° 11' 42" E 732.57 ft.,
S 08° 31' 58" E 920.82 ft., and
S 33° 26' 17" E 800.37 ft.,

To the point of beginning as recorded in Deed Liber 36157, Folio 275, being Parcel 261 on Tax Map 87. Containing 2,553,098 square feet or 58.61 acres, more or less. Also known as 7726 Johnnycake Road and located in the 1st Election District and 1st Councilmanic District.



Professional Certification

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 13203

Expiration Date: 11/02/2016

2835 Smith Avenue, Suite G Baltimore, Maryland 21209
Telephone: (410) 653-3838 / Facsimile: (410) 653-7953

2016-0109-A

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/neighborhood 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: 2016-0109-A

Petitioner: US. Home Corporation

Address or Location: 7726 Johnnycake Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Adam Rosenblatt

Address: Venable LLP

26 W. Pennsylvania Ave

Suite 500 Towson 21204

Telephone Number: 410.424.6200

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

No. 127345
 Date: 10/29/15

PAYEE RECEIPT

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				4200

Total: 4,200

Rec From: Ven. ble

For: Mr. Jimmy Lee

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

PAC APS CO GLEN HDH

Combined Hrg.

Case No.: 2016-0109-A

Exhibit Sheet

DW 2-24-16

Original Exhibits are kept with HOA file.

Petitioner/Developer

Protestant

COUNTY

No. 1 A-H	Develop. Plan (Also site plan in zoning case)	Wolfson testimony outline w/ attachments	School Analysis
No. 2	Letter CV		Malone/letter 9-23-15
No. 3	Neighborhood Map		
No. 4	Existing conditions plan		
No. 5	Pattern Book		
No. 6	3D Model Rendering		
No. 7	Architecture Rendering		
No. 8	Master Plan rendering		
No. 9	Malone correspondence 10-30-15 re: compatibility		
No. 10	Letter corresp. 12-14-15 re: RTA		
No. 11	DOP DPC comments 12-16-15		
No. 12	Special Variance Application		

Case No.: PATAPSCO GLEN HOH

Exhibit Sheet - Continued
2016-0109-A

Petitioner/Developer

Respondent

No.	Petitioner/Developer	Respondent
No. 13	Gardina letter 9-29-15 re: specimen trees	
No. 14	Rohde CV	
No. 15		
No. 16		
No. 17		
No. 18		
No. 19		
No. 20		
No. 21		
No. 22		
No. 23		
No. 24		

Cathy Wolfson
8434 Dogwood Road
Windsor Mill, MD 21244
Greater Patapsco Community Association
Zoning Committee Chairperson

PROTESTANT' S
EXHIBIT NO. 1

PROJECT NAME: Patapsco Glen
PAI NO.: 01-0584
LOCATION: 7726 Johnnycake Road, 58.6 acres
DISTRICT: 1C1

History of this parcel:

This property and those contiguous to it are within the boundaries of the Patapsco Granite Area Community Plan adopted by the County Council on December 21, 1998 and made part of the Master Plan. The property was zoned RC 6, a classification that requires environmentally sensitive development to protect natural resources. The land was stunningly upzoned to DR 10.5/IM BM during the 2008 CZMP presumably to attract the Social Security Data Center which was awarded to Frederick County in 2012 and the URDL was moved to accommodate it. The protections offered to county residents by the Master Plan were blatantly ignored.

Our response to the comments submitted at the Development Plan Conference on Dec. 16, 2015:

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

GENERAL COMMENTS: *Acknowledges "contours on the plan reveal rather excessive grading. The Developer's engineer is cautioned not to exceed the maximum set forth by Baltimore County standards."* We request that cautioned be changed to shall.

SITE SPECIFIC COMMENTS

Item 13 – Steetlighting. A request was made at the CIM but not noted in those meeting minutes to provide shields to the streetlights to reduce the intrusion of ambient lighting into the rural area. We do not see them in the plans.

Item 20 – *Accel / Decel lanes on Johnnycake Rd. should be provided, if possible.* Johnnycake is a 2 lane ditched road upstream and downstream of the development and is a connector route for commuters from the terminus of US 29 in Howard County to the federal offices and other employers in the Baltimore area. Given the projected 2,208 daily trips generated by the 368 units we request that accel/decel lanes be mandatory to reduce congestion.

RE: BUREAU OF DEVELOPMENT PLANS REVIEW FOR THE DEPT. OF RECREATION AND PARKS

ITEM 2 – Plan states *10.21 acres of both passive and active local open space will be provided. Waiver of Standards for the open space (11.41 acres) was requested to preserve specimen trees....* We oppose the waiver. Take the trees, which have a well -documented low rate of survival under intense development conditions and utilize the 1.2 acres of pervious open space for the residents.

Patapsco Glen Development Hearing 20160122 Submitted by Cathy Wolfson, Zoning Chair, Greater Patapsco Community Association

ITEM 6 – *“For any lots adjacent to the open space screening and/or fencing shall be provided along the property lines to deter encroachment and to define the open space limits.”* Multiple requests were made at the CIM for shielding the private property along Dogwood Run where the property borders RC6 from trespassers. Property owners expressed concern about liability issues if children are injured playing unsupervised in Dogwood Run in the RC6 zone. It was suggested that fencing or a privacy wall be installed. We request that the same protections be extended by the developer to deter encroachment into the open space of private property owners as that to be provided to the residents of the development.

VARIANCES

This property permits 10.5 units per acre by right, not by variance. *The Dept. of Planning recommends in their notes “that the entirety of the petitioned zoning relief as outline in plan General Note #18 be granted.”* These variances have been designed into the plan from its conception so it appears the developer presumes that the laws do not have to be complied with and that all requested variances will be granted. From review of the planning offices’ recommendation of overall support for the variances it seems that they are encouraged to do so.

The developer has taken the liberty of designing into these 58.6 acres of upzoned farmland approximately 1,425 variances to accommodate the 368 townhouse units per the attached schedule. Granting the variance to permit 1 to 2 units per group in excess of the maximum 6 permitted alone would yield an addition 20 units. At the projected \$250k per unit this relief yields the developer \$5,000,000 in sales. The real hardship the variances would relieve is to the developer’s bottom line.

Further Dept of Planning states that the site will be a compact walkable community inside the URDL. Please note that the closest commercial center is 1.7 miles from the property line of this development. A hefty 3.4 mile roundtrip walk on a 2 lane ditched road for groceries or a restaurant.

We object to the variances on the basis that this development borders the RC zone and is incompatible with and lacks the transitional use of the county’s commitment to organized structured, carefully considered and organized development. Given that this property is within the boundaries of a legislated community plan we respectfully request reconsideration of the recommendation to grant these variances.

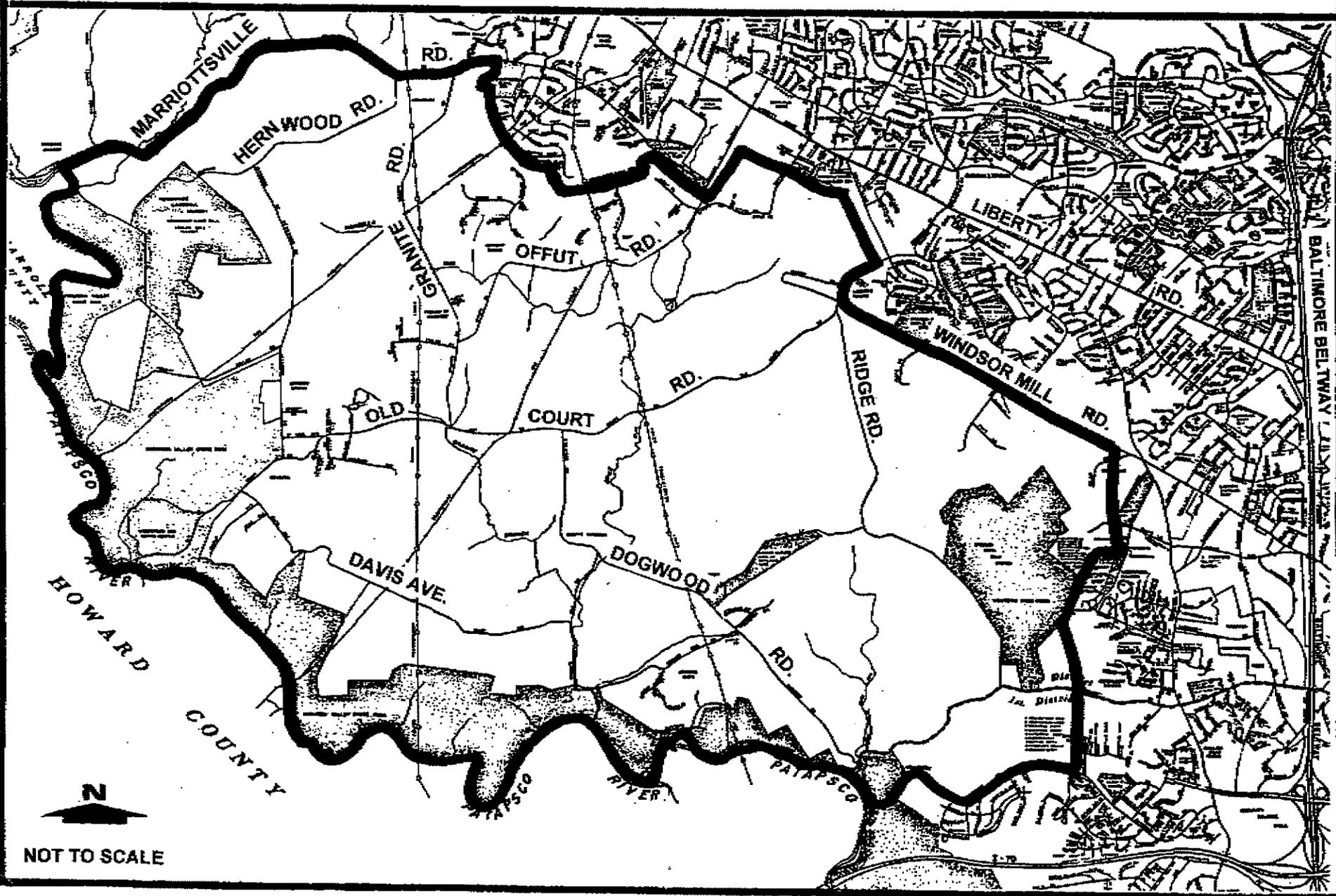
Submitted with schedule of variances and map of Patapsco/Granite Area Community Plan

Submitted by Cathy Wolfson, Greater Patapsco Community Assn. Zoning Chairperson
 8434 Dogwood Road, Windsor Mill, MD 21244 oakknob@comcast.net

Variance	Plan Designation Headings Sheet 7 of 8	No. of Units Subject to Variance	Unit Nos See Sheet 2 of 8
1. Variance from BCZR Section IB01.2.C.1.c to permit front building face to property line setbacks ranging from 4 feet to 20 feet in lieu of the required 25 feet.	Front Yard	368	All
2. Variance from BCZR Section IB01.2.C.1.c to permit rear building face to property line setbacks ranging from 17 feet to 27 feet in lieu of the required 30 feet.	Rear Yard	324	All except units 158-168, 183-193, 320-329, 346-357
3. Variance from BCZR Section IB01.2.C.1.c, pursuant to Section 504.2 of the BCZR and the CMDP, Division II, Section A: Residential Standards, Table VII, to permit side building face to side building face setbacks of 20 feet in lieu of the required 25 feet.	Building to Building	All parallel side to side units Total 17 pairs	17 variants - Units 7 & 8, 11 & 12, 52 & 54, 73 & 74, 87 & 88, 104 & 105, 123 & 124, 139 & 140, 187 & 188, 197 & 198, 224 & 225, 229 & 230, 247 & 248, 289 & 290, 304 & 305, 324 & 325, 334 & 335,
4. Variance from BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to permit 7 and 8 townhouse units in a group in lieu of the maximum permitted 6 townhouse units in a group.	Number of Units in Group	6 ea. 7 unit groups & 7 ea. 8 unit groups yields 20 add'l units	
5. Variance to permit 10 foot deep decks to extend into the required rear yards, which will exceed the 25% maximum projection permitted by BCZR Section 301.1.	Open Projections	368	All
6. Variance from BCZR Section IB01.2.C.1.c to permit building face to tract boundary setbacks of 27 feet in lieu of the required 30 feet.	Building Face to Tract Boundary	2	1 & 82
7. Variance from BCZR Section IB01.2.C.1.c, pursuant to BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to allow a reduction in the required Residential Transition Area (RTA) to allow units to encroach into the required buffer and setback areas (setbacks for units to tract boundary vary from 42- 65 feet) and to exceed the maximum height of 35 feet (within the RTA)	Residential Transition Area	10	1-4, 235-238, 276, 277 No Variance requested for RTAs bordering the RC zone
8. Variance from BCZR Section 504.2 and CMDP, Division 2, Section A, Residential Standards, to permit a private rear yard area of less than 500 square feet.	500 SF Private Rear Yard	324	All except units 158-168, 183-193, 320-329, 346-357
9. Additional relief as deemed necessary by the Administrative Law Judge.			
	Total units requesting variances	1426	

Patapsco / Granite Area Community Plan

Map of Boundaries of Study Area



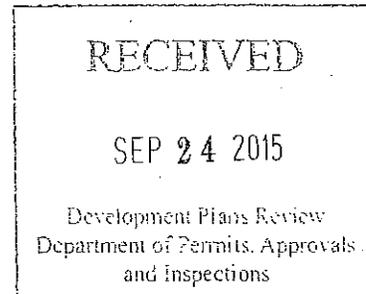
JMT

Patricia A. Malone
Counsel

T 410.494.6206
F 410.821.0147
pamalone@venable.com

September 23, 2015

Arnold Jablon, Deputy
Administrative Officer
Director, Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204



Re: Patapsco Glen Development Plan
7726 Johnnycake Road
PAI # 01-0584
1st Election District, 1st Councilmanic District

Dear Mr. Jablon:

I am writing on behalf of my client U.S. Home Corporation ("Developer") to request approval of a waiver of standards of the Local Open Space Manual ("LOS Manual") requirements pursuant to Section 32-6-108(g) of the Baltimore County Code ("BCC"). This waiver request relates solely to the standards for the local open space to be provided on site (i.e., width, grade, etc.) and not to the amount of open space to be provided. The total amount of open space area to be provided will exceed the amount required by the BCC and the LOS Manual.

The site to be developed is a 58.611± acre property ("the Property") located on the north side of Johnnycake Road, east of Fairbrook Road. The Property is a rolling, partially-wooded site with high ridges that fall off to forested areas. It is currently used for agricultural purposes. The Property is zoned DR 10.5 and BM-IM, which zoning would allow development at a maximum permitted density of 615 dwelling units. Developer proposes to develop the Property with a townhome community (single-family, attached units) with a total of 368 dwelling units, which is significantly less than the maximum density permitted.

Instead of maximizing density, Developer has focused on creating a traditional neighborhood to be known as "Patapsco Glen" connected not only by streets, but also by a series of pathways, parks, and open spaces that will unify the community. In total, Developer proposes to provide a total of 445,396 square feet ("sf") of local open space (273,330 sf of active, 172,066 sf passive). This total amount is well in excess of the 368,000 sf required.

County # 2

Arnold Jablon, Deputy
Administrative Officer
September 23, 2015
Page 2

The defining feature of Patapsco Glen will be the central community park located in the center of the site. This central park is proposed to be 145,138± sf in size, and its layout is dictated, in large part, by the existing mature trees located towards the northern end of the park. Developer intends to preserve these trees and incorporate them into the design of the park. This central community park will offer many opportunities for residents of different ages and abilities. The community's clubhouse, sport court, playground, and other amenities will be located within this area. Interior pathways within the park will result in increased functionality.

The general consensus is in favor of preserving the existing trees and incorporating them into this central open space. However, to do so, the central park cannot simply be shaped and graded to comply with the technical standards for active open space. As a result, this park will not be "regular in shape" and "open," nor will it have a finished grade of "less than 4%," as required by the LOS Manual.

In addition to this central park, Developer also proposes to have other programmed active open space areas and pedestrian trails interspersed throughout the site. These areas and trails are integral to creating a network of open space opportunities throughout the site and to offering residents many different types of recreational opportunities. Although these areas may not, technically, meet the standards for active open space in terms of grade and dimensions, Developer believes they are still valuable components of the overall open space plan for Patapsco Glen.

Additionally, Developer proposes a series of smaller pocket parks, a tot lot, two dog parks (15,575± SF large dog park and 8,313± SF small dog park), and walking paths to satisfy the requirement for passive open space. Developer proposes to work with existing grades and to take advantage of natural opportunities on site to create passive recreational opportunities for its residents. As with the active open spaces, however, some of these passive open space areas will not strictly comply with the standards outlined in the LOS Manual for passive open space. Some of these open spaces, for example, are narrower than permitted by the LOS Manual or have a grade steeper than 10%.

Despite not strictly complying with the LOS Manual exact technical standards, Developer believes each of these areas, particularly when considering the proposed improvements, adds value to the community and is essential to the overall open space concept. This proposal will result in a total amount of open space far in excess of what is required by the Baltimore County Code and will create an attractive and pleasant neighborhood and serve a wide variety of resident interests.

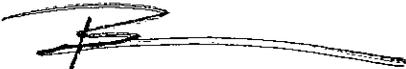
Arnold Jablon, Deputy
Administrative Officer
September 23, 2015
Page 3

Based on the information provided in this letter, please confirm that overall open space proposal for the site is acceptable as proposed and that you approve the requested waivers from the standards of the Local Open Space Manual, Section III, C-1, C-2, and C-3, so that the described areas may be counted towards the requirements to provide active and passive LOS.

If you have questions about this request, members of our development team would be happy to meet with you to discuss the request in more detail.

Kind regards.

Very truly yours,



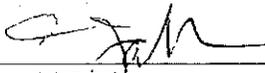
Patricia A. Malone

Enclosure (Open Space Plan Rendering)

Department Recommendation

*in
just 9/25/15*

Request Approved:



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

9/25/15
Date

Zachary Lette, ASLA



Leading LPDA's Metro Area's office, Zac is involved in the management and design of projects throughout the Baltimore and Washington regions. Throughout his career, Zac has worked on a variety of projects of significant diversity including, mixed use, urban design and planning, community planning, institutional, parks, trails, and greenways. Having worked in the development industry for 4 years, Zac understands the realities of design and construction for LPDA's clients in both the public and private sectors and has drive and motivation to see projects from design to construction. Zac is focused on expanding the services of LPDA while maintaining the firm's commitment to quality, client focused designs and principal level management. Under Zac's direction LPDA has been a supporting team member to Boyd and Dowgiallo PA for planning and landscape architecture on 5 projects in Anne Arundel County since 2010 and 3 landscape architecture projects working with developers in the County during the same timeframe.

Education

Bachelor of Science in Landscape Architecture
West Virginia University, 2001

Registration

Virginia and Maryland licensed Landscape Architect

Professional Associations

American Society of Landscape Architects (ASLA)
Executive Committee Member of the Potomac ASLA
Design Cabinet – Loudoun County Virginia Economic Development Authority
WVU Landscape Architecture Steering Committee

Experience & Service Capabilities

Site Master Planning
Feasibility Studies
Geographic Information Systems
Site Plan Submittals
Re Zoning Documentation
Landscape Code Plans and Construction Documentation
Forest Conservation Plans

Select Project Experience:

Quiet Waters, City of Annapolis, Maryland

LPDA is current providing master planning, design development, and construction documentation for a 40 acre in-fill tract in the City of Annapolis. The project concentrates on developing a housing and infrastructure concept that limits the impacts to the environmentally sensitive site. Another unique challenge is providing a greenway linkage from a major collector road to Quiet Waters Park. LPDA is also collaborating closely with the civil engineer to implement the stormwater management concept. Designed under the recently adopted stormwater management regulations in Maryland Quiet Waters achieve its requirements by using innovated vegetated measures and no structural ponds. LPDA prepared full site plan code landscape and forest conservation plans for this project. This project was done in partnership with Boyd and Dowgiallo.

Wade's Grant, Anne Arundel County, Maryland

Wade's Grant is a mixed density development project in the R-2 and R-5 zoning districts. LPDA worked with the Client to develop a land use planning concept that responded to the site constraints and natural amenities of the property. The project area is part of the County's Greenway Master Plan. LPDA supported the project through special exception hearings and site planning preparing Administrative Site Plans and Final Site Plans for required landscape and forest conservation plans. LPDA is also working with the Client to develop amenity landscape architecture for open spaces and parks within the project. This project was done in partnership with Boyd and Dowgiallo.

Boyer's Ridge, Anne Arundel County, Maryland

Boyer's Ridge is the repurposing of an orchard site in Severn. LPDA was initially involved in the land use planning concept for this mixed density development in the R-5 zoning district. LPDA supported the project through special exception hearings and site planning preparing Administrative Site Plans and Final Site Plans for required landscape and forest conservation plans. LPDA has also worked with the Client and Builder to develop amenity landscape architecture for private clubhouse spaces, park spaces and streetscape. Several phases of this project have completed construction. This project was done in partnership with Boyd and Dowgiallo.

Riverwalk at Crofton, Anne Arundel County, Maryland

Riverwalk is the repurposing of commercially zoned property along Routes 3/301 in Crofton. LPDA is currently working on a land use study for a mixed use development under modification to allow active adult, multi family, single family attached and open spaces uses on the property. LPDA has worked extensively with the County and Owner to develop the planning for this project. Riverwalk is currently under review. This project was done in partnership with Boyd and Dowgiallo.

Creekside Village, Anne Arundel County, Maryland

LPDA is the landscape architect for Creekside Village, an award winning mixed density community in Glen Burnie. LPDA was engaged with the Client at the initial phases of work to review the site's existing vegetation and develop strategies for buffering and tree spading beyond the code requirements. Working with the Client and Builder LPDA has designed and administered the construction off all of the exterior site amenities totaling approximately 2.5 million dollars in construction costs. Several phases of this project have completed construction.

Tanyard Springs, Anne Arundel County, Maryland

LPDA is actively involved in the design and construction documentation and administration for Tanyard Springs in Glen Burnie.

Holly Ridge, Anne Arundel County, Maryland

LPDA is actively involved in the design and construction documentation and administration for Holly Ridge in Glen Burnie.

Patricia A. Malone
Counselt 410.494.6206
f 410.821.0147
pamalone@venable.com

October 30, 2015

Ms. Andrea Van Arsdale, Director
Baltimore County Department of Planning
The Jefferson Building, Suite 101
105 West Chesapeake Avenue
Towson, MD 21204**Re: BCC Section 32-4-402 Compatibility Report**
Patapsco Glen Development Plan
7726 Johnnycake Road
PAI No: 01-0584

Dear Ms. Van Arsdale:

For this project, the Department of Planning has required the submission of a compatibility report pursuant to Section 32-4-402 of the Baltimore County Code (BCC). To assist you in making the required recommendations, the Patapsco Glen development team provides this Compatibility Report outlining the project's compliance with the objectives set forth in BCC Section 32-4-402.

In addition to demonstrating general compatibility, the compatibility report serves another function as it will assist you in evaluating the following requests, authorized by the Comprehensive Manual of Development Policies (CMDP): (1) to increase the number of townhome units in a row up from the maximum 6 units in a row; and (2) to reduce the required residential transition area (RTA) along the frontage of Johnnycake Road. You are permitted to recommend a reduction in the RTA because the property is designated as being within a Community Conservation Area.

Identification of the Neighborhood:

In addressing the compatibility objectives, the development must be judged in relation to its "neighborhood." Section 32-4-402(a) defines "neighborhood" to include existing buildings adjacent to and extending from the proposed development to a definable boundary, such as a primary collector or arterial street, an area with a significant change in character or land use, or a major natural feature. Applying this definition to the project site, we have defined the boundaries of the "neighborhood" to be Interstate 70 to the south; Dogwood Road to the north; Rolling Road to the east; and the Urban-Rural Demarcation Line (URDL) to the west.

Ms. Andrea Van Arsdale
October 30, 2015
Page 2

The defined neighborhood is quite diverse and contains a wide mix of uses, including residential, office, institutional, and commercial. Residential uses in the neighborhood include all housing types - apartments, condominiums, townhomes, and single-family homes (semi-detached and detached homes). The neighborhood includes two elementary schools, Chadwick and Dogwood, Security Station Shopping Center, and the offices of the Centers for Medicare and Medicaid Services and United States Department of Health and Human Services. Boulevard Place offers a mixed office and commercial uses. This framework defines the neighborhood within which the property lies.

Modifications of Standards:

Lennar is requesting that the Director recommend approval of an increase in the number of units in a row from 6 units to 7 and 8 units in a row. Even with groupings of 8 units in a row, the total building length of these groupings will not exceed the maximum permitted 180 feet. The longest building length proposed is 176 feet, which is less than the maximum allowed building length. The units, themselves, are either 20 feet or 22 feet.

This condition occurs in 14 of the buildings throughout the site:

1. Lots 18-24: 7-20' units max width 140' +/-
2. Lots 25-31: 7-20' units max width 140' +/-
3. Lots 32-39: 8-20' units max width 160' +/-
4. Lots 40-47: 8-20' units max width 160' +/-
5. Lots 92-99: 8-22' units max width 176' +/-
6. Lots 111-118: 8-22' units max width 176' +/-
7. Lots 146-152: 7-20' units max width 140' +/-
8. Lots 169-175: 7-20' units max width 140' +/-
9. Lots 176-182: 7-20' units max width 140' +/-
10. Lots 203-210: 8-20' units max width 160' +/-
11. Lots 211-218: 8-20' units max width 160' +/-
12. Lots 269-275: 7-20' units max width 140' +/-
13. Lots 305-312: 8-20' units max width 160' +/-
14. Lots 313-319: 7-22' units max width 154' +/-

Being able to group more units together in this fashion allows for a more compact development, thereby reducing the impacts to environmental resources. Attractive, well-designed exterior building architecture, which employs techniques such as using building

Ms. Andrea Van Arsdale
October 30, 2015
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offsets and differentiation of colors and materials, will minimize the appearance of the building lengths of the townhomes.

Lennar is also requesting that the Director authorize a reduction in the required residential transition area (RTA) along Johnnycake Road to allow Units 1-4, 235-238, and 276-277 to encroach into the RTA buffer and setback areas and to exceed the maximum height of 35 feet.

Since the beginning of the project, the Design Team has worked directly with the Department of Planning on the layout of the community. Relying on advice of the Department, Lennar incorporated neo-traditional design principles into the community by fronting units on public roads where possible and having garages in the rears of those units served by alleys. This design creates an attractive and welcoming streetscape.

However, in two locations along Johnnycake Road, the typical RTA requirements cannot be met. The impacts to the affected properties are minimal due to the homes being located on the opposite side of Johnnycake Road. Also, Lennar is proposing supplemental landscaping and ornamental fencing to help create visual barriers between the new townhomes and the existing homes.

Compatibility Objectives:

The following will address how the proposed Patapsco Glen community will be compatible with the neighborhood.

- 1. The arrangement and orientation of the proposed buildings and site improvements are patterned in a similar manner to those in the neighborhood.**

The existing neighborhood contains a mix of single-family detached, townhouse, and multi-family properties in various sizes and arrangements. Many properties maintain direct frontage on Johnnycake Road. Other developments have multiple points of access to Johnnycake Road and the backs of units facing the public road. Parking and access are handled with a mix of surface-parked townhouses (no garages) and single-family houses parked with private driveways and garages. Rather than "turn its back" on its neighbors, Patapsco Glen is designed with units fronting on Johnnycake Road, creating a more welcoming streetscape, particularly with the proposed ornamental fencing, additional landscaping, and 8 foot multi-use trail along the property frontage. As you proceed back into the community, the design is more traditional with surface-parked units and front-

Ms. Andrea Van Arsdale
October 30, 2015
Page 4

loaded garage units facing the streets inside the community. This layout incorporate elements of several of the area communities.

- 2. The building and parking lot layouts reinforce existing building and streetscape patterns assure that the placement of buildings and parking lots have no adverse impact on the neighborhood.**

The design of the proposed community ensures that the high-quality architecture is prominently featured, particularly along the frontage of Johnnycake Road. Garages and parking lots are shielded from public view and minimized. Rather than repeating the pattern of units backing to the public road, with the advice of the Department of Planning has elected to face units to the public street in the neo-traditional style. This design creates an attractive and welcoming streetscape.

- 3. The proposed streets are connected with the existing neighborhood road network wherever possible and the proposed sidewalks are located to support the functional patterns of the neighborhood.**

The proposed community would be served by two access points to Johnnycake Road. The main entrance is located between Park Trail and Cross Trail Roads, and a secondary connection will be made at Cross Trail Road. With the adjacent rural areas to the north and west, there is no opportunity to connect the Patapsco Glen neighborhood to existing roads in these areas. The property located directly to the east is vacant and will be subject to development in the future, so no connection is proposed at this time. Within Patapsco Glen, the street network is made up of a series of blocks with connections being provided where appropriate. Sidewalk are provided throughout. A pedestrian trail will serve as an amenity and linkage to other amenities within the community. The trail and sidewalk system will provide connection to Johnnycake Road.

-
- 4. The open spaces of the proposed development reinforce the open space patterns of the neighborhood in form and siting and complement existing open space systems.**

One of the main features of the Patapsco Glen community is the network of open spaces that runs through the community. These spaces will enhance the experience of the residents and also serve to provide a buffer between the new community and the rural conservation properties to the north and west. A central open space is the key amenity of the site. This open space is the hub of the pedestrian network that reaches into the site's natural areas and amenities. Other amenity spaces, such as a tot lot and dog park, are

Ms. Andrea Van Arsdale
October 30, 2015
Page 5

located to the north and west along the trail.

5. Locally significant features of the site such as distinctive buildings or vistas are integrated into the site design.

The most significant feature on site is the stand of 15 mature canopy trees located close to the center of the property and other wooded areas to the west and north. Great care was taken in the design of the community to maintain these key assets. Many of the proposed homes on the site will back to large open areas and treed buffers. The design team used architecture to work within the constraints of the natural grade changes and other features. A central 3+ acre park was specifically designed around the tree stand so that the trees would be preserved and enjoyed by the residents.

6. The proposed landscape design complements the neighborhood's landscape patterns and reinforces its functional qualities.

Patapsco Glen will be extensively landscaped for streetscapes, open spaces, and buffers. Street trees are used for all public streets and alleys where appropriate. Open spaces are well landscaped, and buffers are provided as required for stormwater management features.

7. The exterior signs, site lighting, and accessory structures support a uniform architectural theme and present a harmonious visual relationship with the surrounding neighborhood.

Patapsco State Park and the natural features of Baltimore County provided inspiration for the entrance features along Johnnycake Road. Stone veneered masonry signs will be placed at the primary entrance with complementary features throughout the community. Site lighting on public streets will be an ornamental Baltimore Gas and Electric (BG&E) standard and will be shielded to prevent light spill from unnecessary ambient light. These proposed lights are consistent with those provided in adjacent neighborhoods.

8. The scale, proportions, massing, and detailing of the proposed buildings are in proportion to those existing in the neighborhood.

The surrounding community features a blend of predominantly two-story townhouses and single family houses and three-story multifamily buildings. Building lengths in the neighborhood vary greatly, depending on the housing type, with the longest building lengths being those found on the large multifamily buildings and the townhouse

Ms. Andrea Van Arsdale
October 30, 2015
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groupings in Park Trail, which have as many as 8-10 units in a row. Patapsco Glen will feature a blend a two and three story townhouses at various building lengths. Building lengths will vary with the longest buildings being a grouping of eight 22 foot wide townhomes totaling a maximum 176± feet. Building lengths are consistent with that of the proposed community. Building architectural techniques, such as using building offsets and differentiation of colors and materials, will minimize the appearance of the building lengths of the townhomes.

We hope that this Compatibility Report, particularly when viewed with the Development Plan and Pattern Book, will assist you in providing positive recommendations to the Hearing Officer as required BCC Section 32-4-402 and to authorize or recommend approval of: (1) an increase in the number of units in a row from 6 units to 8 units in a row for the 14 townhouse groupings identified in this letter; and (2) a reduction in the required residential transition area (RTA) along Johnnycake Road for Units 1-4, 235-238, and 276-277 to encroach into the RTA buffer and setback areas and to exceed the maximum height of 35 feet as shown.

If you need any additional information or have any questions, please feel free to give me a call.

Very truly yours,



Patricia A. Malone

PAM/bl



LPDA, Inc
21515 Ridgetop Circle, Suite 310
Sterling, Virginia 20166
703-437-7907

December 14, 2015

Lloyd T. Moxley
Office of Planning
Baltimore County, Maryland
105 W. Chesapeake Ave., Room 101
Towson, MD 21204

Re: RTA Justification – Patapsco Glen

Mr. Moxley:

I am writing to provide additional information and support for Lennar's request for a recommendation from the Department of Planning to reduce the required residential transition area (RTA) along the frontage of Johnnycake Road for the project. This information should be considered in conjunction with the Patapsco Glen Pattern Book and Patricia Malone's letter, dated October 30, 2015, to you.

The proposed layout for the Patapsco Glen townhomes results in relief being necessary in three areas:
Proposed Lot 109 to 2091 Park Trail Drive;
Proposed Lot 236 to 2117 Cross Trails Drive;
Proposed Lot 276 to 2114 Cross Trails Drive.

The two homes on Cross Trails Drive and the one on Park Trail Drive are single-family detached dwellings.

These homes were constructed as part of the Park View Trails development, which included 450± townhomes and 145± single-family detached homes. In the Park View Trails development, different housing types were placed in close proximity to each other without a requirement to provide any kind of special transition area. As a result, many of the single-family homes in Park View Trails abut townhome lots or are separated only by neighborhood streets.

By comparison, the Patapsco Glen development proposes to locate the new townhomes units no closer than 120 feet (120, feet, 120 feet, and 156 feet, respectively) to the existing single-family homes. None of these units will abut the existing homes, but will be located across Johnnycake Road, which creates a natural separation.

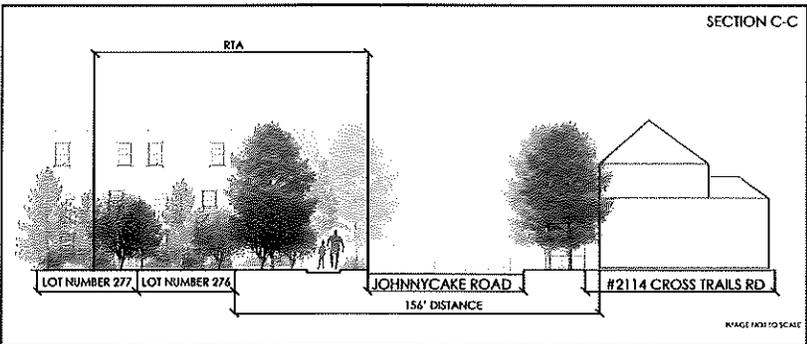
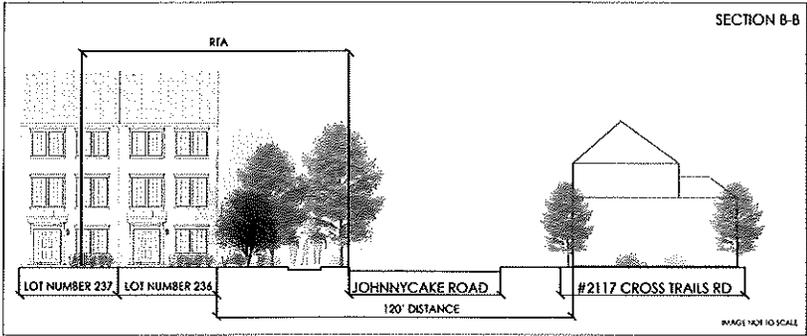
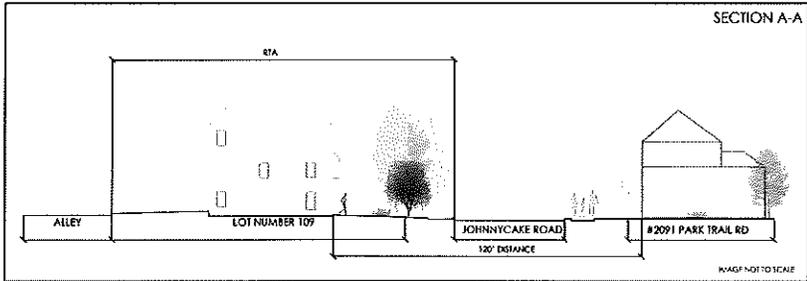
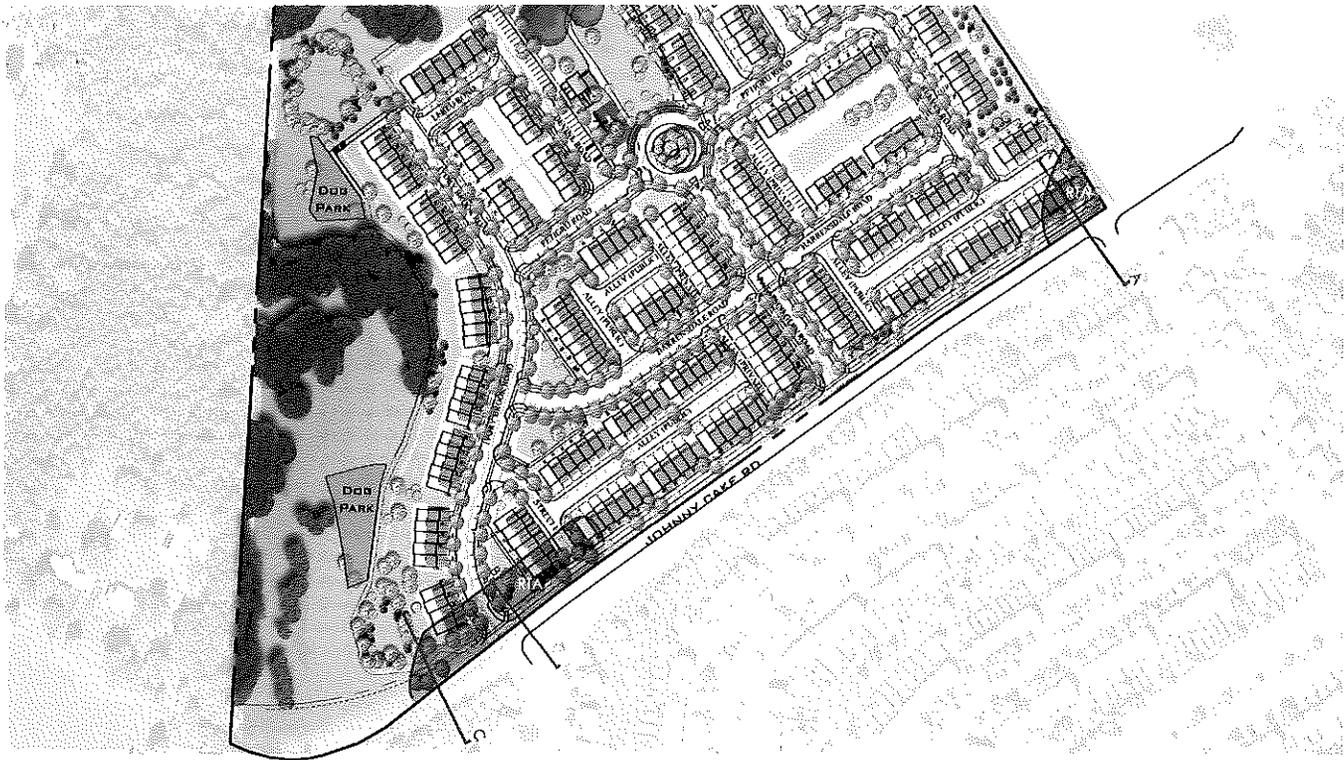
The enclosed cross-sections provide an "at scale" perspective of the relationship between the new townhomes and the existing single-family detached dwellings where the RTA relief has been requested. As demonstrated in these cross-sections and in the Pattern Book, Johnnycake Road will be heavily landscaped and this landscaping will be supplemented with extensive hardscaping and fencing. Rather than turning its back on the existing community, this configuration will be more attractive and inviting. Based on this additional information, we hope that the Department of Planning will recommend approval of the modifications requested and, in particular, those relating to the reduction of the RTA.

If you have any questions or need any additional information, please do not hesitate to give me a call.

Sincerely,

Zachary Lefte, ASLA

DEVELOPER'S EXHIBIT 10



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DEVELOPMENT PLAN CONFERENCE

TO: Arnold Jablon, Deputy Administrative Officer and
Director of Permits, Approvals and Inspections
FROM: Andrea Van Arsdale, Director - Department of Planning
DATE: December 16, 2015
PROJECT NAME: Patapsco Glen
PROJECT NUMBER: I-584
PROJECT PLANNER: Lloyd Moxley

GENERAL INFORMATION:

Applicant Name: U.S. Home Corporation
c/o Joseph Fortino
10211 Wincopin Circle

Location: 7726 Johnnycake Road

Councilmanic District: 1st

Land Management Area: Resource Preservation Area, Community Conservation Area

Growth Tier: 1

Zoning: DR 10.5, BM IM

Acres: 58.611± acres

Surrounding Zoning and Land Use:

North:	RC 6	Residential, Agriculture, Vacant
South:	DR 5.5	Residential
East:	BM IM	Vacant
West:	RC 6	Residential

Project Proposal:

Applicant is proposing to develop 368 single family attached dwellings on a total of 58.6 acres more or less of which 54.9 acres is zoned D.R. 10.5 (density residential, 10.5) the balance being BM-IM (business major with an industrial major district overlay) with associated parking and road network.

Project History:

The project was the subject of a Concept Plan Conference on March 10, 2015 and a Community Input Meeting held April 15, 2015.

Other Anticipated Actions and Additional Review Items:

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

*Modification of Standards

MEETINGS:

Post Submission Community Input Meeting	_____	Pre-Concept Plan Conference	_____
Concept Plan Conference	<u>03/10/2015</u>	Community Input Meeting	<u>04/15/2015</u>
Development Plan Conference	<u>12/16/2015</u>	Administrative Law Judge's Hearing	<u>01/22/2016</u>

SCHOOL IMPACT ANALYSIS:

The proposal is within the boundaries of the following schools:

- Dogwood Elementary School
- Windsor Mill Middle School
- Woodlawn High School

The applicant has submitted a School Impact Analysis (SIA) in accordance with Section 32-6-103 of the Baltimore County Code. The Department of Planning has reviewed the report and offers the following comments:

- Correct all forms to reflect the correct filing date of 10/29/2015.
- Recalculate pupil yields based upon the 10/29/2015 filing date on all pertinent forms.

RECOMMENDATION:

The Department of Planning has reviewed the Development Plan for conformance with Concept Plan comments of March 10, 2015 and recommends the Development Plan be **APPROVED** subject to the listing below.

ZONING VARIANCES / MODIFICATION OF STANDARDS:

Recommendation of overall support

The Department recommends that the entirety of the petitioned zoning relief as outlined in plan General Note #18 be granted. The requested zoning relief does not present a hazardous condition within the immediate development site nor the neighborhood as defined pursuant to BCC Section 32-4-402(a). The petitioned relief is necessary in order to respond to challenging topographic conditions on site in a way that is sensitive to environmental conditions while establishing a functional street

network and providing extensive centrally located open space. As modified, the proposed development is appropriate to the greater visions and goals of Master Plan 2020 in that the site will be a compact, walkable community inside the URDL taking the greatest advantage of urban infrastructure and relieving development pressure on more resource sensitive lands within the county.

Recommendations on townhouse groupings

The project proposes a Variance / Modification of Standards of the Comprehensive Manual of Development Policies (CMDP) to allow townhouse groupings in excess of the maximum 6 units as established within Division 1 of the CMDP. As modified, the plan proposes no more than 8 attached units having a length of less than the maximum 220 feet cited in the CMDP. The Department recommends that the scale and mass of the modified single family attached units remain within the compatibility objectives established in BCC Section 32-4-402. Impacts from the modified single family attached units are mitigated through the use of design characteristics to include staggered front facades and a mix of materials such that they present no more impact than those permitted by right.

Recommendations on units located within the Residential Transition Area

The Department recommends the development proposal remains consistent with the compatibility objectives of BCC 32-4-402 in respect to the petitioned variances to the height and location of the single family attached (SFA) units within the Residential Transition Area (RTA).

The units are similar to the other units in the proposed development along Johnnycake Road and therefore contribute to establishing a consistent road edge. It is the recommendation of the Department that upon the installation of extensive vegetative screening at the terminus of Street E adjacent to Johnnycake Road the parking layout is accomplished in such a way that there is no adverse impact upon the neighborhood.

Recommendations on reduction of or alteration of the Residential Transition Area

Johnnycake Road presents a substantial physical separation between the dissimilar housing types. Johnnycake Road is classified as a major collector road, having potentially far greater impact on the existing single family detached dwellings (SFD) than the proposed residential use. Sufficient on-site space to install vegetative screening to buffer the sides of the proposed SFA units from the side or rear of the adjacent SFD dwellings exists. Although the adjacent Parkview Trail was not subject to RTAs due to the fact the dissimilar units did not exist at the time of development, the act of constructing SFA units less than 100' from SFD units which resulted from that plan demonstrates that the two types of housing units can function in a compatible manner without an intervening RTA buffer. The applicant has provided cross-sections to illustrate the relationship of the proposed new townhomes and the existing single-family detached dwellings where the RTA relief has been requested. These illustrations clearly demonstrate the efforts to heavily landscape this area in conjunction with extensive hardscaping and fencing.

PLAN:

1. Indicate the public/private status of all roads.
2. On those units having off-street parking in front, a parking area of a minimum of 18' in depth must be provided so that parked vehicles do not hang over the sidewalk.
3. Provide an opaque wing wall projection of at least 10' from and parallel to those side facades closest to the public R-O-W for lots 276, 236, 25, 18; 59, 78, 69, 17, 58, 275, 32, 39, 269, 329, 330, 339, 320, 119, 100, 92, 340, 345, 118, 202, 203, 210, 211, 218 and 47 to screen a portion of the rear yards from the street to afford privacy. Include a detail of the wall to include colors and materials within the pattern book.

4. Rework the multi-use path at the end of Ivory Brook Road to provide a continuous smooth alignment.
5. Provide a multi-use path connection between the end of Partin Road near unit 368 and Devine Road.
6. Provide extensive plantings at the end of Street E to screen the parking area in response to the compatibility objectives of BCC 32-4-402.
7. Identify on the plan materials proposed for the multi-use path and ensure an 8' width is maintained throughout. At the intersection of Ivorybrook and Johnnycake Roads provide 8' wide curb ramps and crosswalk to accommodate the multi-use path.
8. Revise note # 18 to state the requested height of structures proposed to be located within the RTA in lieu of the permitted height.

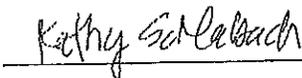
PATTERN BOOK:

1. Add lots 69, 78, 79, 83, 59, 38, 92, 58, 118, 134, 210, 203, 218, 211, 345, 358, 258, 264, 268, 320 and 339 to the list of hi-visibility lots on page 34.
2. Include square footage /element count requirements of Section 260.6 to the hi-visibility and standard side elevations and indicate the square footage of those side facades.
3. Add dimensions to all provided typical layouts.
4. Provide dimensions for the front loaded garage doors as a percentage of the overall façade width.
5. Indicate by note on the front building elevations that *"All end units will incorporate a gable feature at the roofline"*.
6. Provide a large scale detail on the plan showing the HVAC and parking layout for the rear loaded units. Include details as to how the screening is accomplished.
7. Indicate plainly the overall height of the dwellings.
8. Note in the pattern book at those places where garage doors are depicted that *"all garage doors shall include windows and decorative patterns and shall be of a similar or blending color to the primary façade or trim"*.
9. Provide a detail of the stairs located on the multi-use path to show a narrow ramp or gutter to accommodate bicycles (see pg. D-3 of the Complete Street Guidelines for an example).

Prepared By:



Division Chief:



KS:LTM/JGN:kma

**BALTIMORE COUNTY FOREST CONSERVATION REGULATIONS
SPECIAL VARIANCE APPLICATION**

Part A. Application Information

Applicant(s)

Name(s): Devin Leary, ASLA, PLA Phone No. (410) 825-3885
Company: Human & Rohde, Inc.
Street Address: 512 Virginia Avenue
City: Towson State: MD Zip Code: 21286

Property Owner(s)

Name(s): _____ Phone No. () _____
Company: Security Boulevard Ventures LLC
Street Address: 1 Olympic Place, Suite 1210
City: Towson State: MD Zip Code: 21204

Contract Purchaser(s)

Name(s): Rod Hart Phone No. () _____
Company: US Home Corporation, DBA Lennar
Street Address: 7035 Albert Einstein Drive, Suite 200
City: Columbia State: MD Zip Code: 21046

Engineer/Representative

Name(s): Richard Matz, PE Phone No. (410) 653-3838
Company: Colbert Matz Rosenfelt, Inc.
Street Address: 2835 Smith Avenue, Suite G
City: Baltimore State: MD Zip Code: 21209

Principal Contact:

Name(s): Devin Leary, ASLA, PLA Phone No. (410) 825-3885
Company: Human & Rohde, Inc.
Street Address: 512 Virginia Avenue
City: Towson State: MD Zip Code: 21286

Part B. Property Information

Property Address/Location: 7726 Johnnycake Road

Tax Account Number(s): 2500010554

Subdivision/Property Name: _____

Tax Map: 87 Parcel Number(s): 261 Lot No.: _____

Acreage/Lot Size: 58.611 Zoning: DR 10.5 & BM

Water: X Sewer: X
public private public private

Part C: Special Variance Type.

Indicate the specific section(s) of the Code from which you are requesting a special variance:

§33-6-111 (b)(5)(1):

(b) Retention. The following trees, shrubs, herbaceous plants, and specific areas are considered priority for retention and protection and shall be left in an undisturbed condition unless the applicant has demonstrated to the Department that reasonable efforts have been made to protect them, the plan cannot be reasonably altered, and the plan complies with all other applicable laws:

(5) Any tree having a diameter measured at 4.5 feet above the ground of:

(i) 30 inches or more; or

Part D: Project Description:

Briefly describe the proposed project or activity.

The proposal is to construct a 368 unit townhouse community with active and passive amenities including a community center, tot-lot, dog parks and walking trail system. The site is located on Johnnycake Road west of the Social Security Administration campus in an area designated by Baltimore County for growth. Current zoning supports a density of 615 units however due to environmental constraints and the desire to provide open space and amenity areas for residents the proposed density has been reduced to 368 units.

Part E: Existing Resources

Briefly describe the existing forest resources present onsite and the condition/quality of these resources.

The subject property is located on Johnnycake Road, west of Fairbrook Road, in the Security area of western Baltimore County. The property is approximately 58.6± acres; the existing land use is vacant / agricultural.

The subject property is located in the Use I -Dogwood Run/Patapsco watershed. The main stem of Dogwood Run is offsite to the north of the property. Five distinct wetlands, tributaries, and seeps are found within the boundaries of the site. There are no floodplains associated with the tributaries.

Approximately 51 acres of the property consist of pasture and meadows divided by hedgerows and scattered trees. Several of the scattered trees are specimen sized. The hedgerows commonly contain black walnut, black cherry, green ash, Japanese honeysuckle, poison ivy, and saplings of Callery pear.

The site of the former farm homestead is located near the center of the property. The former farm complex, complete with several barns and outbuildings, is visible in historic aerial imagery. The former homestead area is now dominated by a grove of mainly specimen white oaks and a few red oaks. On the eastern edge of the oak stand are Kentucky coffeetrees. The oaks within this area have developed full and healthy crowns with no significant evidence of die back, disease, trunk damage, or disturbance of their critical root zones. Within the area are also several large oaks that range in size from 26-29" dbh.

Evergreen stands of planted Norway spruce and white pine are located north of the circular driveway, along which a more recent residence had been located.

Forest onsite consists of four stands and totals approximately 6.6± acres.

Forest Stand #1 is located northwest corner of the property, adjacent to one of the area of wetlands. The canopy is comprised primarily of American beech. Also present are white oak, red oak, and pignut hickory. Also observed, but uncommon, were black birch, slippery elm, and tulip poplar. The prevailing dbh of the canopy was twelve to twenty inches, and the stand includes two specimens. The understory contains saplings of the canopy along with hornbeam, black cherry, red maple, and in lesser numbers flowering dogwood and redbud. Shrub cover is about 50%, and includes spicebush, and invasive species such as barberry, wineberry, and Japanese honeysuckle. Most of the components of the groundcover layer at this time are spring ephemerals including: cut-leaved toothwort, wild ginger, Dutchman's breeches, Jack-in-the-pulpit, spring beauty, and violets. Also present, in addition to the wildflowers, are garlic mustard, Christmas fern, New York fern, various woodland sedges, and may apple. Trees are in good condition but the shrub layer shows signs of deer browse. The stand rates GOOD in the forest structure analysis; however is a priority retention are because it is within the Forest Buffer, is on steep slopes, and is contiguous to a large forested corridor extending offsite along Dogwood Run.

Forest Stand #2 is located on the steep rocky slopes in northwest corner. The canopy is exclusively comprised of beech, white oak and tulip poplar. None of the canopy trees are of specimen size. The understory was extremely sparse and contains saplings of beech, black cherry, red maple, pignut hickory, and hornbeam. The prevailing dbh of the canopy is sixteen to twenty-two inches. Shrub cover is about 10% with some barberry and arrowwood viburnum. Vines are present in the groundcover, shrub and understory layers and include Oriental bittersweet and Japanese honeysuckle. The herbaceous groundcover is also sparse, despite the presence of Christmas fern, New York fern, woodland sedges, and may apple. Spring ephemerals include spring beauty, Jack-in-the-Pulpit, and wild ginger. The steep rocky slopes, along with deer browse, possibly account for the absence understory and shrub layers. The stand rates GOOD in the forest structure analysis; however is a priority retention are because it is within the Forest Buffer, is on steep slopes, and is contiguous to a large forested corridor extending offsite along Dogwood Run.

Forest Stand #3 is a southwest facing stand which borders the stream along the steep sloping western property line. The stand extends offsite into a sizable forested tract. The canopy is comprised mainly of tulip poplar, white oak, beech, with fewer occurrences of sycamore, black cherry, and red maple. Two specimen trees are located in this stand. The common dbh of the canopy is twelve to twenty inches. The understory contains saplings of the canopy, in nearly equal parts. Observed infrequently within the stand are black walnut, flowering dogwood, and redbud. Shrub cover was about 30%, consisting of multiflora rose, spicebush, barberry, and wineberry. The herbaceous groundcover is sparse, despite the presence of Christmas fern, may apple, Jack-in-the-Pulpit, spring beauty, and some garlic mustard (along the stand edge). There is evidence of deer browse. The stand rates GOOD in the forest structure analysis ; however is a priority retention are because it is within the Forest Buffer, is on steep slopes, and is contiguous to a large forested corridor extending offsite along Dogwood Run.

Forest Stand #4 is located on the steep slopes to the north of the emergent wetlands. The canopy is almost exclusively one large red oak (not a specimen). The understory contains box elder, black cherry, green ash, and black walnut. The common dbh of the canopy, exclusive of the oak, is six to twelve inches. Shrub cover is about 50% and is heavily browsed, containing multiflora rose, wineberry, barberry, and greenbrier. There are also vines of Oriental bittersweet and Japanese honeysuckle. The groundcover consists of pasture grasses, garlic mustard, and wild strawberry. A few Jack-in-the-pulpits are noted. The stand rates POOR in the forest structure analysis; however is priority retention are because it is within the Forest Buffer, is on steep slopes, and is contiguous to a large forested corridor extending offsite along Dogwood Run.

An approximately 3.8± acre of the onsite forest is within the limits of the Forest Buffer.

Part F: Indication of Unwarranted Hardship in Accordance with Section 33-6-116 of the Code.

Briefly describe how the land in question cannot yield a reasonable return if the requirement from which the special variance is requested is imposed and will deprive the petitioner of all beneficial use of his property.

A hardship exists with this particular property in that the specimen trees are primarily located adjacent to the previous homestead within upland areas outside of the buffer. The proposal has been significantly revised from early concepts to save the majority of specimen trees on-site. The project team identifies that the grove of mixed oak in the center of the property is an asset to the development and we have preserved this area as an amenity open space. The proposal only impacts 6 of the 33 specimen tree on-site.

The inability to remove the 6 specimen trees proposed would severely limit the development of the property. This creates a significant disadvantage for the property owner and deprives them of the rights enjoyed by the neighboring and similar properties.

Part F. Continued.

Briefly describe how the plight of the petitioner is due to unique circumstances and not the general conditions in the neighborhood.

The plight of the petitioner is due to the unique circumstances of the location of this large vacant property, as well as the locations of forest and specimen trees. This is unique to the site and not the general conditions in the neighborhood.

Briefly describe how the special variance will not alter the essential character of the neighborhood.

The petitioner will maintain twenty-seven of the thirty-three specimen trees. The proposed development is consistent with the adjacent high density residential neighborhood and current zoning. The proposed development will not alter the essential character of the neighborhood.

Part G. Other Special Variance Criteria Listed in Section 33-6-116 (e) of the Code.

Briefly describe how the proposed project or activity will not adversely affect water quality, both during construction and over the long term.

The proposed project will largely maintain the forest buffer and also includes 6.8 Acres of reforestation within open priority planting areas. The project will also conform to the latest stormwater management requirements and erosion and sediment controls. Therefore this project will not adversely affect water quality both during construction and over the long term.

Briefly describe how the special variance does not arise from a condition or circumstance which is the result of actions taken by the petitioner.

All impacts are proposed and the petitioner has not performed any actions which resulted in conditions or circumstances requiring this special variance.

Part G. Continued.

Briefly describe how the special variance, as granted, would be consistent with the spirit and intent of the Forest Conservation Regulations.

The Spirit and Intent of the Forest Conservation Act is to aid in the preservation of forest and specimen trees during the development process. The proposal has been re-designed to save the vast majority of specimen trees on-site.

The recently modified Forest Conservation Regulations also require a fee for the removal of 6 specimen trees. In accordance with SB666 the fee-in-lieu paid to local government can be utilized for maintenance of existing forests and achieving urban canopy goals. This fee equates to \$6,016.05, which will enable Baltimore County to achieve no net loss goals in other areas of the County. This is consistent with the spirit and intent of the Forest Conservation Regulations.

Part H. Supplemental Information.

Indicate any supplemental information included with the application.

Forest Stand Delineation

Forest Conservation Worksheet

Forest Conservation Plan

Forest Retention Investigation Report

Other (explain) _____

Part I: Additional Information

Use this space to explain answers to any of the questions on this form in greater detail, or to provide any other information about the site or project pertinent to this special variance request. Attach additional sheets if necessary.

Four exhibits are attached to graphically show revisions from the early concept stage, which were completed in an effort to preserve the specimen trees.

- FCV Alt #1 – This was an early concept which was prepared prior to completion of the forest stand delineation. This concept would have cleared the mixed oak grove central to the site and was therefore rejected.
- FCV Alt #2 – This was the first concept to address the retention of the oak grove and identify the area as an open space amenity. Specimen trees # 24-28 are spectacular White Oaks which the project team agreed were an asset to the project and should be saved so this concept was also rejected.
- FCV Alt #3-1 - This is the preferred alternative which shifted Street “O” to the north to preserve specimen trees 24-28. This adjustment to Street “O” did necessitate forest buffer impacts to the north of the alignment however this was non-forested buffer area and the priority was to save these beautiful trees. The Forest Buffer impact is discussed further in the Alternatives Analysis application for this project.
- FCV Alt #3-2 – This is exhibit is a smaller scale overview which shows the 6 proposed specimen trees to be removed.

Part J. Signatures.

All persons having legal or equitable interest in the property must sign below. Unsigned applications will be returned to the applicant as incomplete.

I/We do solemnly declare and affirm under the penalties of perjury that the contents of this application are true and correct to the best of my/our knowledge, and that the application contains names and addresses of all persons having legal or equitable interest in the property.

Devin Leary
Applicant Printed Name

[Signature]
Applicant Signature

8/18/15
Date

[Signature] 8-18-15
Property Owner Printed Name
Contract Purchaser

Rod Hart
Property Owner Signature
Contract Purchaser

8/18/15
Date



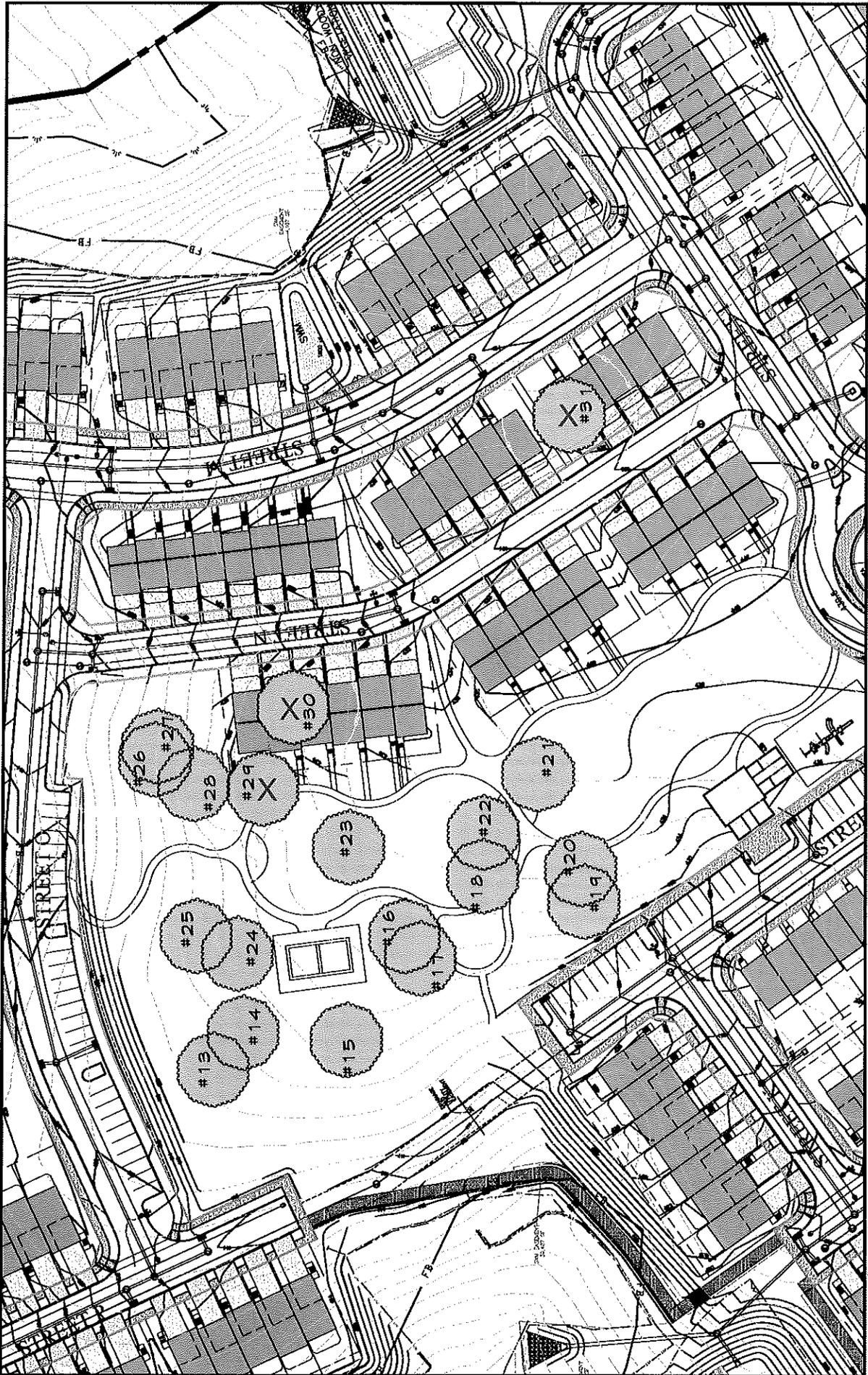
FCV ALT#1 EXHIBIT

SCALE 1" = 60'



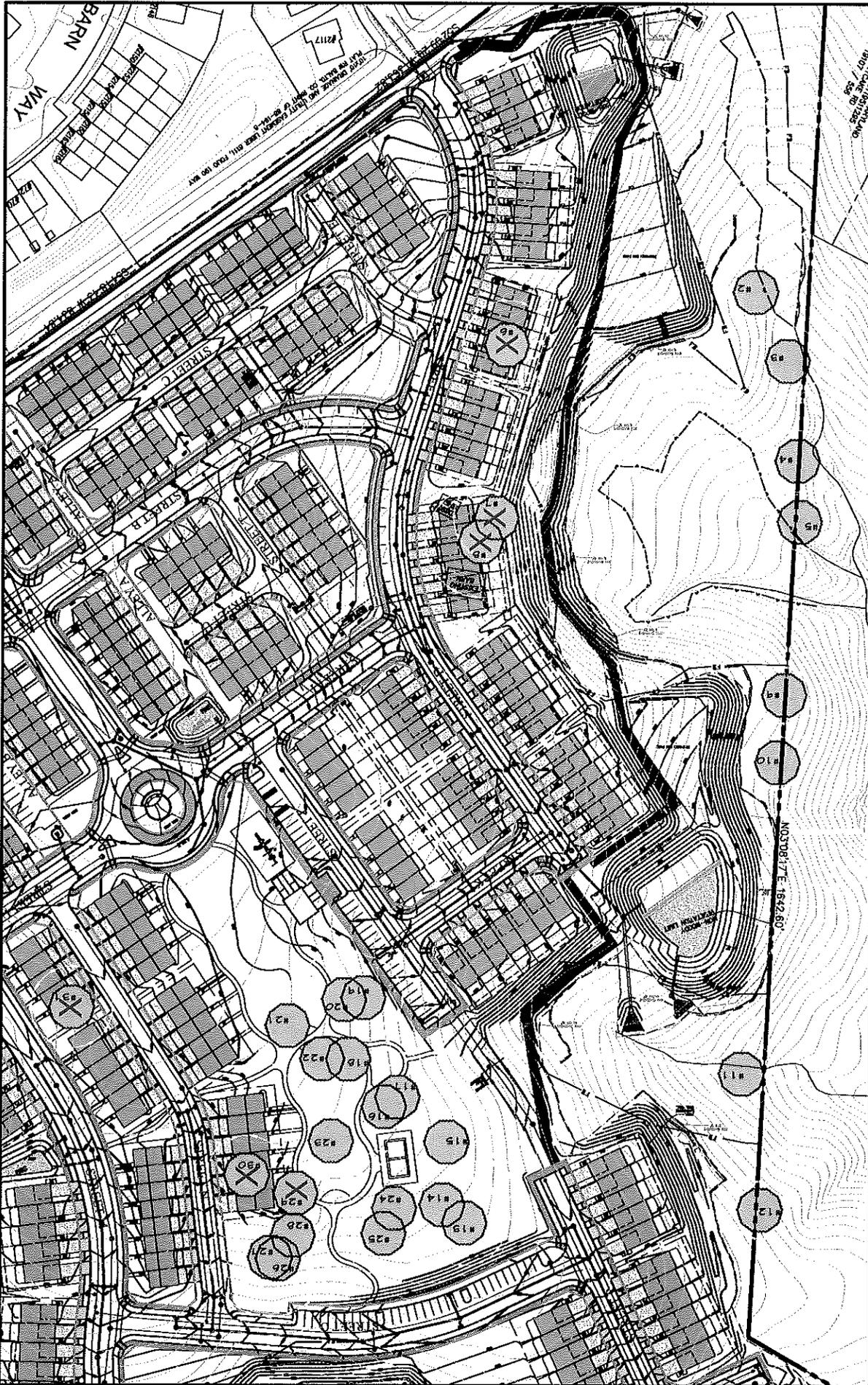
FCV ALT#2 EXHIBIT

SCALE 1" = 60'



FCV ALT#9-1 EXHIBIT

SCALE 1" = 60'



SCALE 1" = 100'

FCV ALT#9-2 EXHIBIT
DATE: 07/20/2011
BY: [illegible]
PROJECT: [illegible]

KEVIN KAMENETZ
County Executive



VINCENT J. GARDINA, *Director*
Department of Environmental Protection
and Sustainability

September 29, 2015

Mr. Devin Leary
Human & Rohde, Inc.
512 Virginia Avenue
Towson, Md. 21286

Re: Patapsco Glen
Forest Conservation Variance
Tracking # 02-15-2053

Dear Mr. Leary:

A request for a variance from the Baltimore County Code Article 33, Title 6 Forest Conservation was received by this Department of Environmental Protection and Sustainability (EPS) on August 20, 2015 with additional information submitted on September 8, 2015. If granted, the variance would allow the removal of six (6) of thirty-three (33) specimen trees onsite in order to construct 368 townhouses on a 58.6 acre property. The Forest Conservation Plan for the development proposes to save a grove of 27 specimen trees and other large trees as a central focal point of the project. The six specimen trees proposed to be removed are all isolated and include: a 34-inch DBH white oak in good condition; a 30-inch DBH white oak in very good condition; a 33-inch DBH white oak in fair condition; a 30-inch DBH white oak in fair condition; a 42-inch DBH white oak in poor condition; and, a 31-inch DBH Kentucky coffee tree in poor condition.

The Director of EPS may grant a special variance to the Forest Conservation Law in accordance with criteria outlined in Section 33-6-116(d)(1) of the Code. There are six (6) criteria listed in Subsection 33-6-116(d) and (e) that shall be used to evaluate the variance request. One (1) of the criteria under Subsection 33-6-116(d) must be met, and all three (3) of the criteria under Subsection 33-6-116(e) must be met in order to approve the variance.

The first criterion (Subsection 33-6-116(d)(1) of the Code) requires the petitioner show the land in question cannot yield a reasonable return if the requirement from which the special variance is requested is imposed and will deprive the petitioner of all beneficial use of his property. The applicant proposes to remove the specimen trees in order to construct 368 townhouses. Full application of the law would not deprive the petitioner of all beneficial use of his property, as a smaller development could be built. Therefore, we find that this criterion has not been met.

Mr. Devin Leary
Patapsco Glen
Forest Conservation Variance
September 29, 2015
Page 3

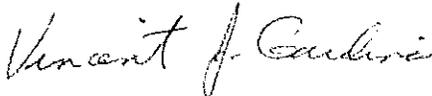
2. Prior to approval of the grading plan and sediment control plans, a final forest conservation plan reflecting all variance approval conditions must be approved by EPS.
3. The following note must be added to all plans for this subdivision:
"A variance to Baltimore County's Forest Conservation Law was granted by Baltimore County Department of Environmental protection and Sustainability on September 29, 2015 to remove 6 of 33 specimen trees. Conditions were placed on this approval to mitigate the loss of these trees."

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout may require submittal of revised plans and a new variance request.

Please have the party responsible for meeting the conditions of this variance sign the following statement and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project.

If you have any questions regarding this correspondence, please call Mr. John Russo at (410) 887-3980.

Sincerely yours,



Vincent J. Gardina
Director

- c. Marian Honeczy, Maryland Dept. of Natural Resources
Security Boulevard Ventures LLC
Mr. Rod Hart, US Home Corporation, DBA Lennar
Mr. Dick Matz, P.E., Colbert Matz & Rosenfelt

VJG/jgr

Mr. Devin Leary
Patapsco Glen
Forest Conservation Variance
September 29, 2015
Page 4

I/we agree to the above conditions to bring my/our property into compliance with
Baltimore County's Forest Conservation Law.

U.S. HOME CORP.

By: Joseph Fortino *VICE PRESIDENT* *10/6/15*

Contract Purchaser/Developer's Signature(s) Date

JOSEPH FORTINO

Contract Purchaser/Developer's Printed Name(s)

[Signature] *10/7/15*

Property Owner's Signature Date

Arthur H. Adler

Property Owner's Printed Name

7. Brief Resume of Key Persons, Specialists, and Individual Consultants Anticipated for this Project.	
a. Name & Title: John C. Rohde, Principal	<p>EASTERN SANITARY LANDFILL, Baltimore County, MD: Worked with the Baltimore County Department of Public Works and the Revenue Authority to develop a phased master plan for the close out of the landfill. Included presentations to community groups to graphically show the impact of various alternates on the surrounding community, studied landfill procedures, and developed cost estimates for implementing a golf facility master plan.</p> <p>PORT COVINGTON REVITALIZATION: Baltimore City, MD: As part of the Development Plan for Starwood Ceruzzi Development, prepared a Shore Stabilization Plan, extensive shoreline renovations, and planting and stormwater/water quality facility planting plans which were approved by the Critical Area Commission and Dept. of Natural Resources.</p> <p>PATAPSCO RIVER NON-STRUCTURAL STABILIZATION, Baltimore, MD: Selected as a sole source contractor for this important pilot project. Prepared contract documents for non-structural (vegetative) stabilization of an eroding shoreline of the Patapsco River. This project was a joint State and City demonstration project to show the effectiveness and potential cost savings of vegetative vs. structural stabilization.</p> <p>BALLENGER CREEK TRAIL, Frederick County, MD: Prepared the Master Plan for the entire 5 mile trail system through DNR and prepared construction documents and grant applications for Phase I of a trail. The work involved wetland impacts, construction in a floodplain, grant applications, cost estimates, bidding and construction services.</p> <p>ROSE HILL MANOR PARK & MUSEUM, Frederick County, MD: Worked with the Master Plan Committee to develop alternative schemes and a final Master Plan for this historic farm park and museum. Prepared final Report and cost estimates.</p> <p>FORT SMALLWOOD/HARRY & JEANETTE WEINBERG PARK: Worked with the Master Plan Committee and Anne Arundel County Dept. of Recreation & Parks to develop a Master Plan for 325 acres of existing parkland and natural area. Prepared a site analysis, landbay plan, cost estimates, and final Report.</p> <p>BWI HIKER BIKER TRAIL, Anne Arundel County, MD: Prepared the master plan for a nine mile trail around the Baltimore-Washington International Airport. This trail connects the existing B&A Trail with Patapsco State Park. Coordinated with various County and State agencies, made public presentations, prepared phasing and cost estimates, and a complete master plan report. This project was well received and portions of the trail were funded by a variety of methods.</p>
b. Project Assignment: Landscape Architect	
c. Name of Firm with which associated: Human & Rohde, Inc.	
d. Years experience: With This Firm 39 With Other Firms 7	
e. Education: Degree(s)/Year/Specialization University of Maryland, BS 1967 - Horticulture University of Virginia, BLA 1973	
f. Active Registration: Year First Registered/Discipline 1977 Maryland, Maryland Registered Landscape Architect #353 1995 Maryland, Certified Horticulturist 1998 Maryland Licensed Tree Expert #99	
g. Other Experience and Qualifications relevant to the proposed project: Mr. Rohde is a Registered Landscape Architect and has been practicing in Maryland since 1973. He has been President of Human & Rohde, Inc. since 1982. He is experienced in a wide range of projects and responsibilities involving all phases of design and construction from schematic design through construction documents and construction inspection, including permits. Mr. Rohde's considerable experience in coordinating design teams and understanding of the construction process is an asset to any project. A brief description of typical projects include: DOLFIELD ROAD, Owings Mills, MD: Delineated wetlands, prepared the Joint Permit Application, attended field review with DEPRM, MDE, and the Corps of Engineers, and prepared the wetland mitigation plan associated with the construction of the new bridge. Determined the location for the mitigation site and will be monitoring the mitigation plantings for 5 years to report on survival rates. BEAR CREEK SEWAGE PUMPING STATION, Baltimore County, MD: Delineated environmental resources, prepared plans, coordinated with Baltimore County DEPRM, Chesapeake Bay Critical Area Commission, and MDE to obtain permits.	

DEVELOPER'S

EXHIBIT NO. 14

Lawrence J. Hogan, Jr., *Governor*
Boyd K. Rutherford, *Lt. Governor*



Pete K. Rahn, *Acting Secretary*
Melinda B. Peters, *Administrator*

March 6, 2015

Mr. Jan M. Cook
Acting Development Manager
Development/Management/Permits
Inspections & Approvals
County Office Building-Room 123
111 West Chesapeake Avenue
Towson, MD 21204

RE: Baltimore County
Johnnycake Road (north side)
opposite Cross Trails Road
"Patapsco Glen"
Concept Plan
PAI No. 01-0584
Tracking No. MAJ-2015-00003

Attn: Mr. Darryl D. Putty

Dear Mr. Cook:

Thank you for the opportunity to review the Concept Plan for the Patapsco Glen residential development. The State Highway Administration (SHA) offers the following:

- SHA has no objection to plan approval as the proposed access to this site is from a county road.

If there are any questions, please contact Mr. Richard Zeller at 410-545-5598 or toll free (in Maryland only), 1-800-876-4742 (extension 5598) or by email at (rzeller@sha.state.md.us).

Sincerely,


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

cc: Colbert Matz Rosenfelt, Inc. / 2835 Smith Avenue, Suite G, Baltimore, MD 21209
Security Boulevard Ventures LLC / 1 Olympic Place, Suite 1210, Towson, MD 21204
U.S. Home Corporation c/o Joseph Fortino / 10211 Wincopin Circle, Suite 300
Columbia, MD 21044
Mr. Dennis A. Kennedy / Baltimore County Development Management
111 W. Chesapeake Avenue, Towson, MD 21204

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Darryl D. Putty MS# 1105 DATE: March 19, 2015
PDM Development Management

FROM: Connie Crews
Department of Public Works
Metropolitan District Financing & Petitions

SUBJECT: Extinguishment of Front Foot Assessments
Project: Patapsco Glen
PDM No: 01-0584

The property accounts of the project above have no existing water or sewer benefits assessments.

If you have any questions, please call me on ext. 2423.

cjc
c: file

BALTIMORE COUNTY

DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS

CONCEPT PLAN CONFERENCE SCHEDULE

MEETING LOCATION : COUNTY OFFICE BUILDING - ROOM 123 DATE: 03/10/15
111 W CHESAPEAKE AVE TOWSON, MD 21204

PROJECT: PATAPSCO GLEN TIME : 10:00AM

PROPOSAL: 376 single family dwellings attached PAI NUMBER: 01-0584

LOCATION: 7726 Johnnycake RD TRACKING NO.: MAJ-2015-00003

COUNCIL DISTRICT: 01 DEVELOPER: U.S. HOME CORPORATION
MANAGER: Darryl D. Putty ENGINEER: COLBERT, MATZ & ROSENFELT, INC.
PHONE NUMBER: 410-887-3321 ENGINEER'S PHONE NO.: 410 653-3838

DATE: 03/19/2015

METROPOLITAN DISTRICT INQUIRY

MP1002A

TIME: 11:08:09

PROPERTY NO	DIST	CLASS	TRANSFER DATE/NUMBER	DELETED
25 00 010554	01	04	10/04/2013 49506	NO

SECURITY BOULEVARD VE
 1 OLYMPIC PLACE STE 1
 TOWSON

DESC-1.. 58.6109 AC
 DESC-2.. 7726 JOHNNYCAKE
 PREMISE. 07726 JOHNNYCAKE RD
 BALTIMORE 21244

MD 21204-

LOT....	BOOK..	MAP....	0087	LOT WIDTH..	.00
BLOCK..	FOLIO.	GRID...	0022	LOT DEPTH..	.00
SECTION		PARCEL.	0261	DEED LIBER.	34301
PLAT...				DEED FOLIO.	0407

	YEAR	MULT	FEET	RATE	CHARGE		M P
SEWER BENEFIT.				.00	.00	SEWER DRAWING#.	1999-1342-1
WATER BENEFIT.				.00	.00	WATER DRAWING#.	1989-1795-3
SEWER SERVICE.					.00	LAST FM DATE...	11/07/2013
WATER DISTRIB.					.00	USER ID.....	CJC7214
BFR PUBLIC SEWER					.00		
BFR PRIVATE SEWER					60.00		

IF YOU DESIRE TO UPDATE THIS RECORD PRESS PF8/20
 ENTER - PROCESS CLEAR - SIGN OFF PF2/3/15 - MENU PF12/24: PRINT AT: L36E

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & SUSTAINABILITY

CONCEPT PLAN COMMENTS

Project Name: Patapsco Glen
Project Location: 7726 Johnnycake Road
Date of Meeting: March 10, 2015
Watershed: Dogwood Run
Reviewer(s): John Russo

ENVIRONMENTAL IMPACT REVIEW

X This project must conform to the requirements of Article 33, Section 33-3-101 through Section 33-3-120 of the Baltimore County Code: Law for the Protection of Water Quality, Streams, Wetlands and Floodplains. The following must be approved by this Department prior to submitting the Development Plan:

 A wetland delineation report.

 A steep slopes and erodible soils analysis to determine the extent of the Forest Buffer on this site.

X Add the standard Forest Buffer and/or Forest Conservation Easement notes to the plan.

X A Forest Buffer and/or Forest Conservation Access Easement approved by EIR staff must be provided. The access should be labeled "Baltimore County Access Easement".

X A building setback of 35 feet must be applied from the Forest Buffer and/or Forest Conservation areas.

X Storm Water Management pond embankments must be at least 15 feet from Forest Buffer and/or Forest Conservation areas.

CONCEPT PLAN COMMENTS

Project Name: Patapsco Glen

Date of Meeting: March 10, 2015

X In accordance with Article 33, Section 33-3-106 of the Baltimore County Code, variances MAY be required for this proposal. Any variances must be granted prior to Development Plan submittal.

X In accordance with Article 33, Section 33-3-112(c) of the Baltimore County Code, an alternatives analysis must be provided for any stormwater management facilities, roads, utilities and/or grading proposed in the Forest Buffer.

_____ Channels exist onsite that may be regulated by the U.S. Army Corps of Engineers (COE) as Waters of the U.S. in accordance with the recent guidance found in the 2000 Nationwide Permit. These same areas may or may not be regulated by Baltimore County Code. You are advised that COE permits may be required to impact these channels. Based on these refined criteria, the COE can take jurisdiction on projects, including those under construction, and issue stop work orders and/or violation notices.

X This site is subject to the Baltimore County Forest Conservation Law. The following must be submitted to, and be approved by EIR prior to Development Plan submittal:

_____ A Forest Stand Delineation report.

X A Forest Conservation Worksheet.

X A Preliminary Forest Conservation Plan.

X A Forest Retention/Afforestation Investigation Report.

X A special Variance

_____ This site is subject to the Chesapeake Bay Critical Area Law.

X The Forest Buffer and/or Forest Conservation areas must be recorded as easements.

CONCEPT PLAN COMMENTS

Project Name: Patapsco Glen

Date of Meeting: March 10, 2015

X An Environmental Agreement (EA) must be submitted prior to building or grading permits.

X An Environmental Effects Report and a Hydrogeological Study must be submitted with the Development Plan.

X Any existing wells, septic systems, and underground storage tanks on-site must be shown on the Development Plan; if there are none, a note must be added to the plan.

X Additional Comments:

1. The Site Proposal Map shows numerous impacts to the Forest Buffer Easement and its setback. Therefore, either the development plan must be designed to avoid these impacts, or a forest buffer variance request and alternatives analysis approved prior to development plan submission.
2. The Site Proposal Map also proposes impacts to specimen trees and priority forest. Therefore, either the development plan must be designed to avoid these impacts, or a forest conservation variance and forest retention investigation report approved prior to development plan submission.
3. Any forest buffer variance request, alternatives analysis, forest retention investigation report, and forest conservation variance request should be submitted concurrently to facilitate efficient review.

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: March 4, 2015

TO: Jeff Livingston, Development Coordination
Department of Environmental Protection & Sustainability

FROM: Clare M. Brunner, L.E.H.S., Ground Water Management
Department of Environmental Protection & Sustainability

SUBJECT: Project Name: Patapsco Glen
Plan Type: Concept Plan
Plan Date: 2/12/2015

Ground Water Management has the following comments on the above referenced plan:

Comments	Date Resolved	Reviewer
1. Show the location of all existing wells, septic systems and underground storage tanks on the Development Plan and indicate their future disposition. If none exist, add a note to the plan stating as much		
2. Prior to Record Plat approval, the existing wells must be back-filled by a licensed Master Well Driller who must submit a well abandonment report to DEPS		
3. Prior to Record Plat approval, the existing septic systems must be pumped and back-filled or removed by a licensed sewage disposal contractor. The abandonment report must be submitted to DEPS		

Note: Please include a revision date on all revised plans submitted.

CONCEPT PLAN CONFERENCE COMMENTS

EPS Project ID: A097549

Project: Patapsco Glen

Address/Location: 7726 Johnnycake Road

Date & Time: March 10, 2015 @ 10:00 am

Assignee: Robert T. Wood, Jr.

STORMWATER MANAGEMENT COMMENTS:

Note: Comments are advisory in nature and may or may not be applicable to this project. More specific comments will be provided with review of the Development Plan.

1. The Stormwater Management Act of 2007:

- A. The Developer is responsible to address the requirements of the Baltimore County Code, Section 33-4.
- B. Provisions for exemptions, waivers and variances for Stormwater Management (SWM) are described in this document. Exemptions, waivers and variances should be applied for and granted (or denied) by the Department before Development Plan approval is given.
- C. The Concept SWM plan must be approved by EPS before Development Plan approval.
- D. Conditions for recording plats and approving grading and building permits, as related to SWM, are also described in this document. The developer is advised to be aware of these conditions and include them in planning the project to avoid unnecessary delays.

2. General Engineering Requirements:

- A. Water quality storage volume (WQ_v), Recharge Storage Volume (Re_v) and Channel Protection Volume (Cp_v) are to be addressed using Environmental Site Design to the maximum extent practicable. If the development is in certain designated inter-jurisdictional watersheds or, if deemed necessary by Baltimore County, Extreme Flood Protection (Qf) or 100 year peak management may also be required.
- B. Please refer to the 2000 Maryland Stormwater Design Manual, Volumes I & II including the Stormwater Act of 2007 revisions, chapters on Environmental Site Design for general design criteria. Hydrology shall be in accordance with the June 1986 version of TR-55. After August 2010, project must use the latest NRCS Soil Classification at their website. Refer to Chapter 5, Environmental Site Design. Provide Environmental Site Design (ESD) to the maximum extent practicable using small-scale stormwater management practices, non-structural techniques and better site planning to mimic natural hydrologic runoff characteristics and minimize the impact of land development on water quality.
- C. The developer is responsible for addressing all applicable requirements of Federal, State and Local agencies, whether within or outside of Baltimore County, having jurisdiction over water quality, streams or wetlands.
- D. SWM Best Management Practices (BMP's) are also subject to review and approval by the Baltimore County Soil Conservation District (SCD).

CONCEPT PLAN CONFERENCE COMMENTS

EPS Project ID: A097549

Project: Patapsco Glen

5. Site - Specific Comments:

In addition to the above, each project will be given a brief review by EPS's Stormwater Management personnel, and a set of specific comments will be provided. The developer is responsible for addressing the following site-specific comments:

- A. Water quality volume (WQ_v), Recharge storage volume (Re_v), Channel protection volume (Cp_v) are required using ESD to the MEP.
- B. All site runoff must be conveyed to a suitable outfall without adversely affecting the receiving wetland, watercourse, waterbody, storm drain or adjacent property.
- C. Provide BMP and ESD volume computations and drainage area maps indicating any by-pass areas at least four weeks prior to the Development Plan Conference. Include plans showing area(s) needed for BMP(s) as dictated by the MDE design manual. These areas should be separated to include pre-treatment, WQ_v and quantity management areas as required.
- D. Building and grading permits will not be issued until BMP, ESD plans are approved.
- E. This project is subject to the stormwater management requirements that Baltimore County adopted on July 2, 2001 and revised under the 2007 MDE SWM regulations for Environmental Site Design (ESD) features.
- F. BMP and ESD sizing computations must be referenced to the 2000 and 2007 Maryland Stormwater Design Manual by page and section.
- G. Chain link fence, meeting current County Standards, shall be used on all stormwater management facilities in residential developments that require fencing. Fence construction shall be in accordance with State Highway Administration Standard Details 690.01 and 690.02 and Maryland State Highway Administration Standard Specifications for Construction and Material Section 914.
- H. Please note; on use III or IV waters, the maximum release time for Cp_v shall be 12 hours.
- I. 3:1 interior slopes are required for all proposed structural stormwater management facilities.
- J. Show proposed storm drains and swales to verify how proposed runoff gets to the BMP's, ESD's and SWM facilities. Swales needed as part of the SWM strategy need to be within a D&U Easement so as to be able to enforce that their operation will be maintained.
- K. Show proposed BMP facility or pond contours and outfalls. Public pond access is required "in-fee" up to a public right-of-way.
- L. Show all BMP locations, easements, reservations, etc. needed to support the computations and regulations.
- M. Diversion of drainage is discouraged. Diversions greater than 1 acre need to be submitted to and approved by Baltimore County Department of Public Works (DPW) prior to acceptance by EPS.
- N. ESD practices must be shown in easements on plan with bearings and distances.
- O. This project **does not** meet the Baltimore County Code Development Plan requirements at this time.

c: James A. Markle, P.E.

BALTIMORE COUNTY, MARYLAND

SUBJECT: Development Plan Review Comments
For CPC March 10, 2015

DATE: March 9, 2015

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review
Department of Permits, Approvals and Inspections

<p>PROJECT NAME: PATAPSCO GLEN</p> <p>P.A.I. NO.: 01-0584</p> <p>LOCATION: 7726 JOHNNYCAKE ROAD</p> <p>DISTRICT: 1C1</p>
--

We reviewed the subject plan dated February 12, 2015 and have the following comments.

LANDSCAPE COMMENTS:

The Concept Landscape Plan has been received and preliminary comments made. Specific comments will be made when the Schematic Landscape Plan is submitted with the Development Plan.

An approved Schematic Landscape Plan is required for Development Plan approval.

An approved Final Landscape Plan and cost estimate with security will be required for permit approval.

SITE-SPECIFIC COMMENTS:

1. A traffic impact study is required.
2. A *Public Works Agreement* is required.
3. Contact the *Department of Permits, Approvals and Inspections* for street names.
4. Johnnycake Road is an existing road which shall ultimately be improved as a 40-foot street cross section on a 60-foot right-of-way.
5. A 100-year floodplain study is required if the drainage area to the stream at the northeast corner of the property is 30-acres or greater.

6. Sewers may not be within SWM areas.
7. Show hydrants spaced per standard.
8. Prior to development plan approval, Development Plans Review (DPR, 410-887-3751) shall be contacted to schedule a field visit.
9. Show the storm drain pipes and SWM outfalls for the entire site.
10. Provide inlets in front of Lots 353 and 365.
11. Show the ADT information in the general notes.
12. Add a soils chart and show the soils on the plan.
13. Show the locations of the permanent project identification signs.
14. Show all of the lot lines for Lots 170 to 173.
15. Provide 20-foot drainage and utility easements over the sewer when it is outside of road way.
16. Move the sewer and water away from the curb and the sidewalk near Lot 68.
17. Label all streets as public or private. Public streets must have a minimum 40-foot wide right-of-way. Public water mains may not be put in private streets or alleys.
18. If Street I will connect to the adjacent property, it must be extended to the rear of Lot 99.
19. The future right-of-way of Johnnycake Road west of Street D must be concentric with and 60-feet away from the right-of-way shown on plat 62/92 with an adequately sized revertible slope easement.
20. Provide sewer for Lots 245 and 246.
21. Run the sewer in Street P rather than along the rear of the lots.
22. Show adequately sized trash pads near lots 352, 356, 114, 320, 269, 273, 87, 224 and 240.
23. Label the "island" areas as being HOA owned and maintained.
24. Where sewers are in easements, the maximum grade of the ground over the sewer must be 15% or less with a minimum cross slope of 5% for the full width of the easement.

* * * * *

DAK:mlv
cc: File

Arnold Jablon, Director
Department of Permits,
Approvals and Inspections

6. Site-specific comments:

- a. Please add a dedication table and clearly label all public dedications on the plan.

INTER-OFFICE CORRESPONDENCE

CONCEPT PLAN CONFERENCE

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

FROM: Andrea Van Arsdale, Director - Department of Planning

DATE: March 10, 2015

PROJECT NAME: Patapsco Glen

PROJECT NUMBER: I-584

PROJECT PLANNER: Lloyd T. Moxley

GENERAL INFORMATION:

Applicant Name: U.S. Home Corporation

 c/o Joseph Fortino

 10211 Wincopin Circle Ste 300

 Columbia, MD 21044

Location: 7726 Johnnycake Road

Councilmanic District: 1st

Land Management Area: Resource
 Preservation Area,
 Community
 Conservation Area

Growth Tier: 1

Zoning: DR 10.5, BM IM

Acres: 58.611± acres

Surrounding Zoning and Land Use:

- North:** R.C. 6 - residential, agriculture, vacant
- South:** D.R. 5.5 - residential
- East:** B.M.-I.M.- vacant
- West:** R.C. 6 - residential, agriculture, vacant

Project Proposal:

Applicant is proposing to develop 376 single family attached dwellings on a total of 58.6 acres more or less of which 54.9 acres is zoned D.R. 10.5 (density residential,10.5) the balance being BM-IM (business major with an industrial major district overlay) with associated parking and road network.

Project History:

The submitted site plan indicates no development history at the time of filing.

Other Anticipated Actions and Additional Review Items:

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

*Modification of Standards

PARTIES TO BE NOTIFIED BY APPLICANT:

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

Fairbrook Community Association
 Ranier Harvey, President
 7913 Galloping Circle
 Windsor Mill Maryland 21244

Security Woodlawn Business Association
 Barbara Cuffie, President
 7008 Security Boulevard, Suite #220
 Baltimore, MD 21244

MEETINGS:

Post Submission Community Input Meeting	_____	Pre-Concept Plan Conference	_____
Concept Plan Conference	03/10/15	Community Input Meeting	_____
Development Plan Conference	_____	Administrative Law Judge's Hearing	_____

RESIDENTIAL PERFORMANCE STANDARDS:

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

The Department of Planning adopted a Manual of Regulations Section 260, BCZR to implement Section 260 of the BCZR on June 24, 2010. These regulations are located at:

http://resources.baltimorecountymd.gov/Documents/Planning/260standardrevised_opt.pdf

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

RESIDENTIAL PERFORMANCE STANDARDS FINDING:

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

1. A pattern book (8 1/2"x11", 8 1/2"x14" or 11"x17" max. bound and in color) to include the following:
 - a. A cover page that lists the name of the project, the PDM project number, all parties involved with the project complete with their contact information and the date of the Pattern Book

- b. A vicinity map at either 1"=1000', 500', or 200' along with a site specific data list that includes:
 - Site address, acreage (net and gross), current zoning, existing land use, proposed land use, election and councilmanic districts and Tax Map and Parcel numbers.70
- c. A proposed site plan at a legible scale with proposed grading and showing lot numbers as well as indication of high visibility lots.
- d. Architectural elevations, to scale, **of all facades** including any proposed garage that shall include general massing of the buildings, major facade divisions, porches, gables, dormers, chimneys, size and placement of openings, roof treatment, materials, and colors. Elevations shall be provided of all unit types to be offered for sale complete with call-outs and labels of all proposed materials;
- e. Floor plans, to scale, of the building types complete with dimensions at a clear and legible scale;
- f. If dwellings with front entry garages are to be constructed, provide a typical plan or detail showing the garage setback complete with dimensioning;
- g. Typical lot layouts showing house, garage, and driveway configurations, to scale, demonstrating all required setbacks for all applicable zoning;
- h. Illustrative Landscape Plan.
- i. Elevations and details of all proposed fencing;
- j. Elevations and details of the proposed rear decks, indicating materials and finishes;
- k. Elevations and details of proposed screening treatments of HVAC and metering systems;
- l. Elevations, details and locations of proposed mail boxes;
- m. Elevations and details of all proposed signage and entrance treatments, to scale, with dimension call-outs and proposed materials;
- n. Details of all proposed landscaping; and,
- o. The design and location of the open space area (s).

MASTER PLAN:

The *Master Plan 2020* Land Management Area Plan designation for the subject area is "Community Conservation." Across the southern one third of the tract with "Resource Preservation Area" on the remaining two thirds. The proposed use as indicated on the Proposed Land Use Map of Baltimore County is T-4, General Urban, which is characterized by mixed uses but primarily having a residential urban fabric with a wide range of building types. The site is a part of the Patapsco Park & Open Space Concept Plan, the Patapsco/Granite Area Community Plan and the Southwest Baltimore County Revitalization Strategy.

As proposed the project will have no impact on the greenway linkage concept proposed within the Patapsco Park & Open Space Concept Plan. The disposition of the Forest Buffer Easements as discussed within that plan will be decided by the Department of Environmental Protection and Sustainability. Further, subsequent to the adoption of the Patapsco/Granite Area Community Plan into the Master Plan in 1998, the project site was involved in the 2000 CZMP process as issue 1-058/#611 and 1-051/#604 wherein the property was reclassified to R.C. 6. The project tract was also involved in the 2008 CZMP process as issue 1-031/#537 wherein the property was reclassified to D.R. 10.5 and BM-IM. The URDL was revised in 2009 thereby placing the subject parcel inside the urban growth

area and within the growth area established through the implementation of the "Sustainable Growth and Agricultural Preservation Act of 2012" which mapped the tract as Growth Tier 1. The proposed development is appropriate to the greater visions and goals of Master Plan 2020 in that the site will be a higher density, walkable community inside the URDL taking the greatest advantage of now available infrastructure and relieving development pressure on more resource sensitive lands within the county. Johnnycake Road is not now classified as "scenic".

PEDESTRIAN AND BICYCLE ACCESS PLAN:

The Section of *Johnnycake Road* in this development plan is listed for a bicycle lane and pavement right-of-way widening in the "*Western Baltimore County Pedestrian and Bicycle Access Plan*". In the event that widening is taken by this project, the applicant must confirm with the Department of Public Works (DPW) that the ultimate right-of-way meets the Bikeways guidelines found within the DPW Baltimore County Design Manual.

COMPLETE STREETS POLICY:

This development is subject to the Baltimore County Complete Street Design Guidelines for Urban Areas as adopted by Resolution 126-13, and including Exhibit A, pp. D-1 to D-7. The guidelines are located on the County's web site at:

<http://resources.baltimorecountymd.gov/Documents/Planning/pbac/CompleteStreetsGuidelines.pdf>

It is the recommendation of this Department that the applicant confirm with Baltimore County DPW the applicability of the Bikeway Standards and Characteristics found in the Baltimore County Design Manual adopted on 8/2/2010 at Chapter 8, Roads and Streets, Section II.R.

SCHOOL IMPACT ANALYSIS:

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

<http://www.baltimorecountymd.gov/Agencies/planning/devrevandlanduse/adequatepublicschoolfacilities.html>

The proposal is within the boundaries of the following schools:

Dogwood ES	Elementary School
Windsor Mill MS	Middle School
Woodlawn HS	High School

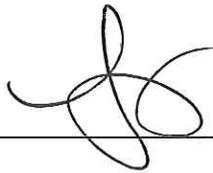
COMMENTS:

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

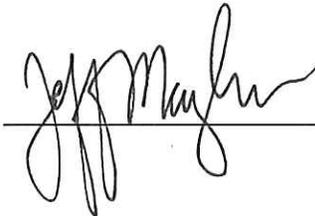
1. The proposed 5' recreational trail along Johnnycake Road needs to be 8' as stated by the Western Baltimore County Pedestrian and Bicycle Access Plan or needs to be combined with the bicycle lane required by said Plan.
2. If not constrained by physical and or legal conditions provide a pedestrian trail/access point up to and on the tract boundary to serve as an access point to any existing or future Dogwood Run Greenway pursuant to the Patapsco/Granite Area Community Plan.
3. Indicate the public/private status of all roads. Will lots 114 through 125 have fee simple access to a public road?

4. A Modification of Standards to allow townhouse groupings in excess of the maximum 6 units established within Division 1 of the Comprehensive Manual of Development Policies is required. The lots so affected along with acknowledgement of the Modification must be noted on the plan. Provide a narrative to this office describing the need for the Modification within the context of the compatibility requirements of BCC 32-4-402.
5. A Variance to approve a Modification to the parking requirements established in Division 1 of the Comprehensive Manual of Development Policies is required when proposing more than 10 parking spaces in a row without an intervening landscape peninsula. Acknowledgement of the variance must be noted on the plan. Provide a narrative to this office describing the need for the variance within the context of the compatibility requirements of BCC 32-4-402.
6. Add a typical lot layout diagram showing all three unit types with dimensions to the plan.
7. RTA areas may be generated within the vicinity of lots 185 through 193, lots 365 through 371 and possibly lots 282 through 284 and 241 through 243. Confirm the RTA status of the plan.
8. Identify in the required Pattern Book all "high-visibility" lots.
9. Show all improvements within 200' of the tract boundary.
10. Confirm with the Bureau of Zoning Review if "density anomalies" exist on those lots split by the D.R. 10.5 and BM zone line. Include any adjustments to density in the provided site data chart.
11. Confirm with the Baltimore County Landscape Architect that the plantings proposed adjacent to the right-of-way for Johnnycake Road are sufficient to substantially screen the terminus of Streets E and F and Alley A. The Department recommends that views from Johnnycake into these areas should be greatly limited.
12. It would appear that a connection between Streets J and P would serve to enhance overall pedestrian and vehicular circulation. Provide to this Department justification as to why that connection should not be made. In the absence of any physical or safety constraints the Department recommends the connection be made but, in keeping with the centralized open space layout, would not support additional units along the street.
13. Investigate a possible future vehicular and pedestrian connections with and in anticipation of future development east of the of the subject tract.

Prepared By: _____



Deputy
Director: _____



LTM:kma

PAJ

BALTIMORE COUNTY, MARYLAND

Subject: Concept Plan Comments

CPC Date: 3/10/15

From: PAJ – Zoning Review

10:00 a.m., Rm. 123

Project Name: Patapsco Glen

Plan Date: 2/12/2015

Location: 7726 Johnnycake Road

District: 1c1

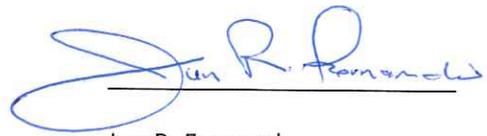
Proposal: 376 Single Family Dwellings (Attached)

Zoning: DR 10.5/BM-IM

Based on the information provided, the following comments can be offered. This office has no objections to the concept of creating 376 SFD (attached townhouses) from 58.6 acres of zoned property. The developer, engineer or owner should understand at this time that when a development plan is submitted for review, development policies (CMDP) must be readily evident.

1. Note on the plan under the density calculation: "This property as shown on the plan has been held intact since 1971. The developer's engineer has confirmed that no part of the gross area of this property as shown on the plan has ever been utilized, recorded or represented as density or area to support any off-site dwellings." If any adjacently owned property has been subdivided after this date, show this area as part of the overall tract boundary and adjust density calculations accordingly.
2. A landscape peninsula or island shall separate every 10 parking spaces, perpendicular or angled.
3. Garage townhouses shall note on the Development Plan, the Final Development Plan (FDP) and covenants that garages cannot convert to non-garage or storage use.
4. **Dimension** all building restriction lines or alternatively, add a typical lot layout to the plan. Add larger tract table for group home (Section 1B01.2.C.1.C)
5. Show building height and length of all proposed buildings.
6. Show a chart of all variances to be requested under "Anticipated Actions" on the plan notes. All variances must be heard at the same time with HOH.

A Final Development Plan (FDP) will be required and the above information may generate additional comments.



Jun R. Fernando
 Planner II
 Zoning Review

PAI

BALTIMORE COUNTY,
MARYLAND

Subject: Concept Plan Comments

Date: February 27, 2015

From: Bureau of Development Plans Review for the Department of Recreation and Parks

Project Name: Patapsco Glen

Project Number: 01-0584

Zoning: DR 10.5, BM-IM

Location: 7726 Johnnycake Road

Districts: Election: 01 Council: 1

Comments:

This project is subject to the Adequate Public Facilities Act, Bill No. 110-99. The comments generated herein reflect the requirements of Bill No. 110-99 and the Baltimore County Local Open Space Manual, as adopted by the Baltimore County Council on February 22, 2000.

Local Open Space is required for this development.

The following are site/plan specific comments:

1. The project is located within Recreation and Parks Region 1 that currently provides open space at the rate of 7.9 acres/1000 people. The Baltimore County goal is 25 acres/1000 people; the State goal is 30 acres/1000 people.
2. The Local Open Space required for 376 units is 376,000sf or 8.63 acres +/-; 244,400sf Active and 131,600sf Passive.
3. The plan states that the required local open space will be provided. Please submit a plan clearly outlining areas to be counted towards the required local open space with acreages noted.
4. The open space shall meet the requirements and standards as described in Section III of the Baltimore County Local Open Space Manual.
5. Any Active Open Space provided shall be in parcels of not less than 20,000sf each. Refer to Sections III.C.1 & III.D.2.

6. The Development Plan and Record Plats shall contain the following note: "HOA Open Space shall be owned and maintained by a Homeowners Association."
7. Retaining walls shall not be located within any Open Space parcel.
8. The open space shall have finished grades less than 4% for the active and 10% or less for the passive and labeled "**HOA Open Space, Active**" and "**HOA Open Space, Passive**" with square footage and proposed grades shown for each parcel. Final grades shall meet these requirements and also be shown on the grading plan for Development Plan Review/Department of Recreation and Parks approval.
9. The Open Space shall be unencumbered by easements, clearly delineated with leaders or shading, and a minimum of 75' in width (with the exception of passive open space as described in Section III.C.3). For any lots adjacent to the open space, screening and/or fencing shall be provided along the property lines to deter encroachment and to define the open space limits.
10. The Open Space shall be owned and maintained privately or by a Homeowners/Condominium Association. A recorded copy of the declaration of covenants and restrictions assuring the existence and maintenance of the open space in perpetuity must be submitted to this office prior to the recordation of the plats, see Section V.E.2.a.
11. Should a waiver with payment of a fee in lieu be requested, then the developer or engineer shall submit a waiver request with the Development Plan Conference submittal. Department approval shall be based upon consideration of community input.
12. **Should a waiver request be submitted, it must be approved prior to the Development Plan Hearing.**
13. Specific instructions will be provided with the waiver approval letter stating how the fee shall be paid.

Baltimore County Master Plan Designated Greenway Comments:

1. In addition to the Open Space requirements, **Dogwood Run** is a Master Plan designated Recreational Greenway. The area of the Greenway dedication shall be the limit of the 100-year floodplain or wetland or forest buffer, **whichever is greater**.
2. A Recreational Greenway Easement of the 100-year floodplain or the wetland or forest buffer (associated with Dogwood Run), **whichever is greater**, shall be dedicated to Baltimore County.

3. Show and label any existing Baltimore County Recreational Greenway Reservation /Easement parcels adjacent to the subject property.
4. The Recreational Greenway shall be clearly delineated and labeled "Baltimore County Recreational Greenway Reservation." The Forest Buffer Easement must be labeled separately.

Bureau of Development Plans Review for
Department of Recreation and Parks
111 West Chesapeake Avenue, Room 119
Towson, Maryland 21204

PA1

Darryl Putty - Patapsco Glen- PAI 01-0584

From: Kristoffer Nebre
To: Darryl Putty
Date: 3/2/2015 11:29 AM
Subject: Patapsco Glen- PAI 01-0584
CC: Michael Filsinger

Darryl,

After our review of Patapsco Glen, our comment/concern is that 490' of sight distance is needed from both site accesses unto Johnnycake Rd per AASHTO calculations.

Kristoffer Nebre
Acting Engineer III

Traffic Engineering Division
Baltimore County Dept. of Public Works
111 W. Chesapeake Avenue, Rm. 326
Towson, MD 21204
(410) 887-3554



PAI

KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

March 3, 2015

To: Darryl Putty
Permits, Approvals, Inspections

From: Don Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 4th Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov

Type of Plan: **Concept Plan**

Project Name: **Patapsco Glen**

Project Location: **7726 Johnnycake Road**

PAI Number: **01-0584**

FD-R Number: **979328**

Comments:

1. Where fire protection water supplies are required to be provided shall be installed and made available for use no later than the time when construction of any individual dwelling unit is under roof in accordance with the Baltimore County Fire Prevention Code, Baltimore County Bill No. 63-13, Section 1: 16.4.3.1.3
2. A crusher run roadway for access to dwellings and fire hydrants shall be available for and usable by emergency fire apparatus and capable of handling emergency apparatus weighing 70,000 lbs. when construction of any dwelling is under roof, in accordance with the Baltimore County Fire Prevention Code, Baltimore County Bill No. 63-13, Section 1: 16.4.3.1.3
3. The Baltimore County Fire Prevention Code, County Bill No. 63-13, Section 1:10.12.1.5, requires that the address size for residential occupancies be a minimum of three "3" inches. The development is also required to display addresses be on the front and back of each dwelling unit.
4. Need to provide the street names on the proposed development plan to be shown on the next phase of development plan (DPC).

Patapsco Glen

March 3, 2015

Page 2

5. Need to provide the address for all proposed dwelling unit to be shown on the next phase of the development plan (DPC).
6. The proposed roadways throughout the development shall not be obstructed in any manner for emergency apparatus, including the parking of vehicles. Also any trees planted shall not be the type that would interfere with emergency apparatus access when they mature. 2012 NFPA 1 Fire Code Section 18.2.4.1
7. Need to provide the location of the proposed fire hydrants throughout the development.
8. The Baltimore County Standard Design Manual requires fire hydrants to be spaced no more than 300 ft apart in townhouse communities like this one.
9. **Fire mains** shall be a minimum of 8 inches diameter and identified on the next phase of the development plan (DPC).
10. Need to provide the information on the proposed fire hydrants throughout the development to determine if they are either "private" or "public" on the next phase of the development plan (DPC).
11. The fire hydrants shall be painted "orange" for public hydrants and osha "red" for private hydrants in accordance with the Baltimore County Fire Prevention Code, County Bill No. 63-13, Section 1:18.5.7.5.
12. A separate building permit is required for the installation of a residential sprinkler system for each individual dwelling unit. The sprinkler contractor shall have a Maryland sprinkler license through the Maryland State Fire Marshal's Office.
13. The water meter size associated with the residential sprinkler system shall be a minimum of $\frac{3}{4}$ inches.
14. All residential sprinkler systems shall be inspected and approved by the Baltimore County Marshal's Office prior to occupancy.
15. "No Parking" signs shall be installed in all alley ways to assist emergency apparatus with emergency access to the rear of the dwellings in accordance with the Baltimore County Fire Prevention Code, County Bill No. 63-13, Section 1:18.2.3.1.1.1, and shown on the next phase of the development plan (DPC).
16. It shall be the property owner's responsibility to assume the financial cost for any designated "No Parking" signs in accordance with the Baltimore County Fire Prevention Code, County Bill No. 63-13, Section 1:18.2.3.5.3.

Fire Marshal's Office: Requested Streets Information:

Johnnycake Road addresses: Lots 1 - 17, 224 - 240.
Street "A" addresses: Lots 18 - 47.
Street "B" addresses: Lots 62 - 67, 77 - 90, 247 - 268.
Street "C": Alley
Street "D" addresses: Lots 241 - 246, 274 - 319, 337 - 346.
Street "E": Alley
Street "F": Alley
Street "G": Alley
Street "H" addresses: Lots 68 - 76, 91 - 99.
Street "I" addresses: Lots 48 - 61, 269 - 273.
Street "J" addresses: Lots 327 - 336
Street "K" addresses: Lots 320 - 326
Street "L": Alley
Street "M" addresses: Lots 1- 113, 126 - 211, 220 - 223 (212 - 219 ?)
Street "N" addresses: Lots 114 - 125.
Street "O" addresses: Lots 347 - 376.
Street "P": Part of Street "O".
Street "Q": Part of Street "O".
Street "R": Part of Street "O"

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DEPARTMENT OF PERMITS AND DEVELOPMENT
MANAGEMENT

DATE: March 9, 2015

TO: Darryl D. Putty
Project Manager

FROM: Joe Chmura
House Numbers and Road Names Section

SUBJECT: Patapsco Glen
PAI #01-0584

Submit names for streets A thru S to be reserved & approved by USPS.

Typically, streets running roughly parallel with Johnnycake Road (east-west) will be addressed in the 7800 block range, beginning w/ low numbers at the east end.

Streets north/south bound will have addresses in the 2000 to 2300 range w/low numbers beginning at Johnnycake Road.

Street 'A'

Lots 25 to 39	#2000 to 2028
Lots 18 to 47	#2001 to 2029

Street 'B'

Lots 90 to 87	#7791 to 7797
Lots 86 to 77	#7801 to 7819
Lots 67 to 62	#7810 to 7820
Lots 264 to 268	#7850 to 7859
Lots 263 to 247	#7851 to 7883

Street 'C'

Lots front on Street 'B' & Johnnycake Road

Street 'D'

Lots 282 to 306 #2000 to 2048

Lots 307 to 319 #2100 to 2124

Lots 281 to 274 #2041 to 2055

Lots 337 to 346 #2101 to 2119

Street 'E'

Has no lots

Street 'F'

No lots

Street 'G'

Lots front on Street 'B' & Johnnycake Rd.

Street 'H'

Lots 76 to 68 #2000 to 2016

Lots 91 to 99 #2001 to 2017

Street 'I'

Lots 61 to 55 #7801 to 7813

Lots 54 to 48 #7800 to 7812

Lots 269 to 273 #7851 to 7859

Street 'J'

Lots 336 to 327 #2100 to 2118

Street 'K'

Lots 326 to 320 #7851 to 7813

Street 'L'

No lots

Street 'M'

Lots 108 to 132	#2100 to 2124
Lots 100 to 137	#2101 to 2125
Lots 138 to 155	#2201 to 2227
Lots 144 to 147	#2200 to 2206
Lots 156 to 163	#2208 to 2222
Lots 211 to 199	#2224 to 2248
Lots 198 to 164	#2300 to 2368

Street 'N'

Lots 114 to 125	#2100 to 2122
-----------------	---------------

Street 'O'

No lots

Street 'P'

Lots 376 to 372	#2100 to 2108
Lots 371 to 366	#2200 to 2210

Street 'Q'

347 to 352	#2201 to 2211
------------	---------------

Street 'R'

Lots 353 to 365	#7851 to 7875
-----------------	---------------

Street 'S'

Lots 220 to 223	#7800 to 7806
Lots 219 to 212	#7801 to 7815

Johnnycake Road

Lots 1 to 17	#7800 to 7832
Lots 224 to 240	#7850 to 7882

Baltimore County Government
Department of Permits, Approvals, and Inspections
Inter-Office Correspondence

TO: Robert Franke, Supervisor
Customer Service Division
Office of Budget and Finance - M.S. 2113

FROM: Darryl D. Putty, Manager
Development Management
Dept. of Permits, Approvals, and Inspections

DATE: February 17, 2015

SUBJECT: **TAX CLEARANCE**

NAME OF PROJECT: PATAPSCO GLEN

PAI NUMBER: 01-0584

TRACKING NO.: MAJ-2015-00003

LOCATION OF PROJECT: 7726 Johnnycake RD BALTIMORE, MD 21244

DEVELOPER: JOSEPH FORTINO
U.S. HOME CORPORATION

DEVELOPER ADDRESS: 10211 WINCOPIN CIRCLE, SUITE 300
COLUMBIA, MD 21044

ENGINEER: COLBERT, MATZ & ROSENFELT, INC.

ENGINEER PHONE NO.: 410 653-3838

TAX ACCOUNT NUMBER(S): 2500010554

- CHARGES DUE - SEE COMMENTS BELOW
 NO CHARGES DUE

Comments:

PLEASE FORWARD RESPONSE TO SHARON MILLER - ROOM 123

NEED RESPONSE BY: March 05, 2015

Baltimore County Government
Department of Permits, Approvals, and Inspections
Development Management



111 West Chesapeake Avenue
Towson, MD 21204
410-887-3321
February 17, 2015

Re: PATAPSCO GLEN
PAI No.: 01-0584
Tracking No.: MAJ-2015-00003

COLBERT, MATZ & ROSENFELT, INC.
RICHARD E. MATZ, P.E.
2835 SMITH AVE STE G
BALTIMORE, MD 21209

Dear Sir or Madam:

The above referenced project has been scheduled for a Concept Plan Conference on Tuesday, March 10, 2015 at 10:00AM in ROOM 123 of the COUNTY OFFICE BUILDING 111 W CHESAPEAKE AVE; TOWSON, MD 21204.

Please attend this meeting with appropriate representation. Please notify your client of this meeting.

Sincerely,

A handwritten signature in cursive script that reads "Darryl D. Putty /sem".

Darryl D. Putty
Project Manager

MAJ-2015-00003

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS



TO: COLBERT MATZ ROSENFELT, INC.
FROM: JANICE M KEMP
SUBJECT: CONCEPT PLAN CHECKPRINT
PROJECT: PATAPSCO GLEN
PAI NO.: 01-0584

DATE: January 21, 2015

The check print for the above-mentioned project has been reviewed for conformance with general filing requirements and may be further processed in accordance with the following:

Please make all additions/changes/deletions per the attached red-line drawing; and

Submit the following marked items to Room 123 of the County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204:

2-17-15
SM

- Return the pink copy of the VALIDATED counter cash receipt attached to this memo. Use the three part counter cash receipt number 112888 to pay the Concept Plan Review fee in the amount of \$750.00 at the Cashiers Office, located in the Office of Finance, first floor, County Courthouse, 400 Washington Avenue, Towson, MD 21204.
- 36 copies of the plan, folded to 8 1/2 X 11, for agency review (the red-line checkprint must also accompany the submittal).
- A CD containing the CAD file and PDF file of the plan.
- 1 copy (each): Forest Stand Delineation
Forest Conservation Worksheet
- 3 copies of conceptual landscape plan (except RC-2 & RC-4 zones)
- Provide space 4" w. x 2.5" h lower right corner of drawing for county stamp.
- Please add PAI No. on all plans from this day forward.
- Please add the district and councilmanic district to all plans.
- Provide road names for all roads (existing) shown on plan.
- Provide house numbers for all existing structures on existing roads.

Additional comments:

NOTE: 3 copies of a noise assessment report must be submitted along with the concept plans for all residential projects with lots adjacent to and within 500 feet of the edge of paving of any designated highway as described in PAI Policy for Noise Mitigation. Also, include the PAI No. on all plans from this day forward.

Should you have any questions regarding this matter, please do not hesitate to call this office at (410) 887-3335.

JK:jk, C:file

(rev 11-1-06)

Baltimore County Government
Department of Permits, Approvals, and Inspections
Inter-Office Correspondence

TO: Robert Franke, Supervisor
Customer Service Division
Office of Budget and Finance - M.S. 2113

FROM: Darryl D. Putty, Manager
Development Management
Dept. of Permits, Approvals, and Inspections

DATE: February 17, 2015

SUBJECT: **TAX CLEARANCE**

NAME OF PROJECT: PATAPSCO GLEN

PAI NUMBER: 01-0584

TRACKING NO.: MAJ-2015-00003

LOCATION OF PROJECT: 7726 Johnnycake RD BALTIMORE, MD 21244

DEVELOPER: JOSEPH FORTINO
U.S. HOME CORPORATION

DEVELOPER ADDRESS: 10211 WINCOPIN CIRCLE, SUITE 300
COLUMBIA, MD 21044

ENGINEER: COLBERT, MATZ & ROSENFELT, INC.

ENGINEER PHONE NO.: 410 653-3838

TAX ACCOUNT NUMBER(S): 2500010554

- CHARGES DUE - SEE COMMENTS BELOW
 NO CHARGES DUE

Comments:

PLEASE FORWARD RESPONSE TO SHARON MILLER - ROOM 123

NEED RESPONSE BY: March 05, 2015

**BALTIMORE COUNTY, MARYLAND
INTEROFFICE MEMORANDUM**

TO: Taxpayer Services
 Personal Property
 Central Billing
 Construction Loan

Lien Clearance/Development Projects

Please complete the following information on the attached developer and return to PDM.

Section	Account/Invoice Number	Amount Due	Comments	Initial & Date
T/P Services	2500010554	∅	Pd 7/24/15	CR 2/18/15
Personal Property	W12354720	∅	Return not processed	MOU 2/18/15
Central Billing	N/A	N/A	N/A	PB 2/19/15
Construction Loan	25-00-010554	N/A	N/A	RAS 02/19/15

Could the last person completing this form interoffice it to:

PDM
 ATTN; Sharon Miller
 Mail Stop# 1105
 County Office Building
 Room 123
 Phone ext. 3335

SCHOOL IMPACT ANALYSIS

Form 1

Current Enrollment Department of Planning

Project Name Patapsco Glen

PAI Project Number 01-0584

Filing Date 10/29/2015

School District	State Rated Capacity (SRC)	Committed Seats	Net SRC	Actual September 30th Enrollment*	# of Pupils Above or (Below) Net SRC	Actual Enrollment as a Percentage of Net SRC
Dogwood ES Elementary School	612	0	612	610	(2)	99.67%
Windsor Mill MS Middle School	720	0	720	470	(250)	65.28%
Woodlawn HS High School	2,129	0	2,129	1,412	(717)	66.32%

*Enrollment is defined by the full time equivalent enrollment.

SCHOOL IMPACT ANALYSIS

Form 3

Projected Pupil Yield by Development Type Department of Planning

Project Name Patapsco Glen

PAI Project Number 01-0584

Filing Date 10/29/2015

Elementary School District Approved Development Plans			Projected* # of Pupils Elementary School
Name of Project	PAI Project Number	Approval Date	
			10

Middle School District Approved Development Plans			Projected* # of Pupils Middle School
Name of Project	PDM Project Number	Approval Date	
			9

High School District Approved Development Plans			Projected* # of Pupils High School
Name of Project	PDM Project Number	Approval Date	
			9

*If the calculation of the number of pupils results in a number containing a fraction, the number of pupils shall be rounded to the next highest whole number

Middle School Report

Middle School Name: Windsor Mill MS

Approval Date	Project Number	Project Name	SFD	SFSD	SFA	MF	Pupil Yields
2/17/2015	020776	HOFFMASTER PROPERTY	34	0	0	0	4
11/27/2015	010489	HELFRICH - SECTION 2	0	0	62	0	5

Summary for 'MIDDLE' = Windsor Mill MS (2 detail records)

Grand Total

9

9

Pupil yields from approved development in the past 4 years

SCHOOL IMPACT ANALYSIS

Form 4

Projected Pupil Yield by Development Type

Department of Planning

Project Name Patapsco Glen

PAI Project Number 01-0584

Filing Date 10/29/2015

School District	Net SRC	Actual September 30th Enrollment	Projected # of Pupils for Specific Development	Projected # of Pupils for Approved Development	Total Projected Enrollment	# of Students Above or (Below) Net SRC	Projected* # of Pupils as a Percentage of Net SRC
Dogwood ES Elementary School	612	610	58	10	678	66	110.78%
Windsor Mill MS Middle School	720	470	28	9	507	(213)	70.42%
Woodlawn HS High School	2,129	1,412	30	9	1,451	(678)	68.15%

*Projected Number of Pupils as a Percentage of State Rated Capacity must be shown as a number carried out to at least one decimal place.

DEVELOPMENT PLAN CONFERENCE AND
DEVELOPEMNT PLAN HEARING NOTIFICATION

Name of Development :

Location :

Dear Sir or Madam:

In anticipation of a public hearing on the above referenced project, I am enclosing a copy of the development plan we have filed with Baltimore County. The Development Plan Hearing (and combined Zoning Hearing, if required), scheduled by the Department of Permits, Approvals, and Inspections of Baltimore County, is as follows:

Hearing Date: _____ Time: _____

Hearing Location: _____ of the _____
Towson, MD 21204

As you are probably aware, the attached plan will receive a thorough review by appropriate agencies for compliance with applicable State and County regulations. Agency comments will be presented to the developer's representative at the Development Plan Conference to be held on (date _____) at (time _____) in Room 123 of the County Office Building (COB), 111 West Chesapeake Avenue; Towson, MD 21204. The purpose of this conference is to ensure a coordinated review among agencies for the development plan proposal. You are invited to observe this exchange between county staff and the developer; however, the public hearing will provide the proper format for citizen comment.

Please accept this letter as written notification that agency comments, responses, and recommendations as required by the County Code will be available in the official file in Room 123 of the COB until five (5) days preceding the public hearing. At that time the file will be forwarded to the Administrative Law Judges in preparation of the hearing.

Should you have any questions or concerns regarding this matter, you are encouraged to attend the public hearing. For further information, you may also contact Development Management of Permits, Approvals, and Inspections at 410-887-3335.

Respectfully yours,

BALTIMORE COUNTY, MARYLAND

SUBJECT: DEVELOPMENT MANAGEMENT

DPC DATE: 12/16/15, 9 a.m., Rm. 123

FROM: PAI – ZONING REVIEW

HOH: 1/22/16, 10 a.m., Rm. 205

PROJECT NAME: Patapsco Glen

PLAN DATE: 10/27/15

LOCATION: 7726 Johnnycake Road

DISTRICT: 1C1

PROPOSAL: 368 single family dwelling attached

ZONING: DR 10.5

The plan has been reviewed by the staff at this level and with the exception of comment #1, 2, & 3⁴ has been found to be in general compliance with the Baltimore County Zoning Regulations (BCZR). The following additional advisory comments are generalized for the development plan and they **do not** identify all details and inherent technical zoning requirements necessary in order to determine the final compliance with these regulations. To avoid any possible delays in the development review and zoning approval process, when these details and final technical information are identified or changed, this office should be contacted and it should be the responsibility of the owner, developer or developer's engineer to rectify any zoning conflicts well in advance of any expected final approvals. The intent of the developer must be clear on the plan, including any previous and proposed zoning hearing requests. Only if necessary, will the following comments be up-dated and/or supplemented during review of the zoning final development plan.

1. Add large tract table for group home (Section 1B01.2.C.1.C) and show typical lot layout.
2. Add hearing case number on the plan. Final zoning approval is based upon the outcome of the petition for variances. Some variances are missing.
3. A landscape peninsula or island shall separate every 10 parking spaces, perpendicular or angled.
4. Adjust parking calculations provided.

A Final Development Plan (FDP) will be required and the above information may generate additional comments.



Jun R. Fernando
 Planner II
 Zoning Review

BALTIMORE COUNTY, MARYLAND

SUBJECT: Development Plan Review Comments
For DPC December 16, 2015

DATE: December 14, 2015

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review
Department of Permits, Approvals and Inspections

<p>PROJECT NAME: Patapsco Glen</p> <p>P.A.I. NO.: 01-0584</p> <p>LOCATION: 7726 Johnnycake Road</p> <p>DISTRICT: 1C1</p>
--

We reviewed the subject plan dated October 27, 2015 and have the following comments.

GENERAL COMMENTS:

All construction shall be accomplished in accordance with Baltimore County Standard Specifications and Details for Construction (February, 2000, as amended) and Baltimore City Standard Details.

A *Public Works Agreement* must be executed by the owner and Baltimore County for the required public improvements.

Any manmade embankment over 10-feet vertically shall be designed and/or approved by a soils engineer. The following note is to be placed on the sediment control plans and grading plans before approval will be given:

- *“All manmade embankments have been designed and/or certified for stability by a soils engineer”.*

The Developer shall be responsible for damages to the County’s facilities, such as water meters, manholes, curbs and gutters and inlets within his subdivision and for any damages caused by his construction equipment outside of his subdivision. Occupancy permits will be withheld until such damages have been corrected.

The contours on the plan reveal rather excessive grading. The Developer’s engineer is cautioned not to exceed the maximum set by Baltimore County standards. Benching requirements shall be

in accordance with *Section 41.02, Item 3* of the *1983 Maryland Standards and Specifications for Soil Erosion and Sediment Control*. Retaining walls that are proposed along road rights-of-way shall be located away from the right-of-way a distance that is at least equal to the height of the wall.

Offsite rights-of-way are necessary for roads, storm drains or other utilities. The Developer is hereby advised that the final plat and/or building permits will not be approved until the offsite right-of-way is acquired.

The Developer shall be responsible for having all proposed street names in any new development approved by the *Street Name and Address Section* of the *Department of Permits, Approvals and Inspections* prior to his engineer placing these names on the final record plat and/or construction drawings. All street name changes made after plat recordation must be approved by the *Street Name and Address Section* and the record plat and construction drawings revised accordingly. The method for changing street names after a plat has been recorded will vary by project, and guidance will be provided by the *Street Name and Address Section*.

Test pits within County roads require a utility cut permit obtained from the *Bureau of Highways and Equipment Maintenance*.

The coordinate system used on all County drawings must be based on the North American Datum of 1983 (NAD 83) with the readjustment date shown in parenthesis. A couple examples are: NAD 83(1991) and NAD 83(2007). The elevation system of all drawings must be based on the North American Vertical Datum of 1988 (NAVD 88).

All drainage and utility easements containing a sewer or storm drain shall be a minimum of twenty (20) feet wide.

HIGHWAY COMMENTS:

Johnnycake Road is an existing road which shall ultimately be improved as a minimum 36-foot street cross-section on a 60-foot right-of-way.

The Developer's responsibilities along the existing road frontage of the development shall be as follows:

- a) *The submission of detailed construction drawings to extend a minimum distance of 200 feet beyond the limits of the subdivision or as may be required to establish line and grade.*
- b) *The submission of full cross-sections is deemed necessary for design and/or construction purposes. The sections are to be taken at 25-foot intervals and are to be shown on standard cross-section paper at 1"=5' horizontal to 1"=5' vertical scale.*
- c) *The preparation of the right-of-way plat for, and the dedication of, any widening and slope easements at no cost to the County.*

- d) *The preparation of the right-of-way plats for any offsite road right-of-way required to make the necessary improvements.*
- e) *The grading of the widening and the existing road to the established grade. Where adjacent properties are adversely affected by the improvements, the Developer shall be financially responsible for the necessary repairs to these properties.*
- f) *The relocation of any utilities or poles as required by the road improvements.*
- g) *The construction of combination curb and gutter in its ultimate location and a maximum of 28.5 feet of paving adjacent thereto along the frontage of the property. The paving thickness shall conform to Baltimore County standards.*

The interior roads of the site shall be public curb and gutter roads and shall be the Developer's full responsibility. The paving thickness for the traveled way shall conform to Baltimore County standards and requirements.

The paving thickness shall conform to Baltimore County standards and requirements.

It shall be the responsibility of the Developer's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way. The Developer shall be responsible for the submission of all necessary plats and for all costs of acquisition and/or abandonment of these rights-of-way.

The Developer shall provide an in-fee right-of-way at no cost to Baltimore County to permit County maintenance forces to perform any necessary work in the SWM and/or storm drain reservation. This right-of-way shall be a minimum of 20 feet wide and shall have a grade less than 10% from the roadway to the reservation.

Driveways shall be constructed in accordance with Baltimore County standards with depressed curb and 7-inch concrete aprons within the right-of-way.

In accordance with *Baltimore County Code, Section 32-4-408*, streetlights are required along all road frontages of subdivisions. The Developer will be responsible for the full cost of installation of the cable, poles and fixtures. Along new roads, the County will assume the cost of the power when the roads have been accepted for County maintenance. Along existing roads, the County will assume the cost of power after installation.

Ramps shall be provided for physically handicapped persons at all street intersections. The ramps shall have detectable warning areas and shall be constructed in accordance with Standard Details R-36A or R-36B.

Sidewalks are required on both sides of the streets within this subdivision and/or along the frontage of all existing streets including state roads. The walks shall be a minimum of 5-foot wide and shall be installed to conform to Baltimore County standards and to current Americans with Disabilities (ADA) guidelines.

STORM DRAIN AND SEDIMENT CONTROL COMMENTS:

The Developer is responsible for the total actual cost of drainage facilities required to carry the storm water runoff through the property to be developed to a suitable outfall. The Developer's cost responsibilities include the acquiring of easements and right-of-way both onsite and offsite and the deeding in-fee of said right-of-way at no cost to the County. Preparation of all construction, right-of-way and easement drawings, engineering and surveys, and payment of all actual construction costs including the County overhead both within and outside the development are also the responsibilities of the Developer.

The Developer must provide necessary drainage facilities (*temporary or permanent*) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem that may result due to improper grading or improper installation of drainage facilities will be the full responsibility of the Developer.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of topsoil.

In accordance with *Baltimore County Code 33-5*, a grading plan shall be approved and a *Performance Bond* posted prior to issuance of a grading permit. A sediment control plan is required. The number of square feet of land disturbed shall be indicated on the sediment control drawing.

The Developer is responsible for the cost of temporary structures and measures required in the event of sectional development.

The Developer shall provide a minimum 10-foot drainage and utility easement along all bordering property lines which are not adjacent to road right-of-way or storm drain reservations.

WATER AND SANITARY SEWER COMMENTS:

A preliminary print of this property has been referred to the *Baltimore City Water Division* for review and comment in regard to adequacy of water pressure in this development. If Baltimore City has any comment, it will be forwarded.

The Developer is responsible for any public water main extension and/or public sanitary sewer required to serve this property. He is responsible for the preparation and the cost of construction drawings and right-of-way plats required. He is further responsible for conveying any required right-of-way to Baltimore County at no cost to the County.

Public sanitary sewerage will be available to serve a portion of this property when the proposed 8-inch public sanitary sewer extension, shown on Drawings 2015-2554/2555, is constructed. Permission to connect to the proposed public sanitary sewer may be obtained from the *Department of Permits, Approvals and Inspections*.

Water and sanitary sewer service connections shall be installed by a utility contractor prior to the road improvements and shall be included in the *Public Works Agreement*.

The total water and/or sanitary sewer system connection charge is determined, and payable, upon application for the plumbing permit, or prior to the execution of a utility or right-of-way agreement.

The determination of the water system connection charges will be predicated on the established relationship using a 5/8-inch water meter at a cost of \$575.00 per living unit. The sewer system connection charge, likewise, is based on a 5/8-inch water meter at a cost of \$875.00 per living unit. Note: The same rate applies for 1-inch meters for sprinkler service.

Fire hydrant spacing and location are subject to review and approval by the *Fire Protection Section* of the *Fire Department*.

TRAFFIC ENGINEERING COMMENTS:

Confirm and then add this note to the development plan:

- *“Bureau of Traffic Engineering and Transportation Planning” has confirmed that the subject site **is/is not** within a traffic deficient area.*

Sight lines are to be drawn from the centerline of the proposed access at a point ten feet behind the extension of the main road curb line to the centerline of the nearest approach lane on the main road.

All subsequent plans, including record plats, must note that the areas between the sight line and the curb line must be cleared, graded, and kept free of any obstructions.

LANDSCAPE COMMENTS:

The Concept Landscape Plan has been received and preliminary comments made.

Submit two Schematic Landscape Plans reflecting previously-made comments.

An approved Schematic Landscape Plan is required for Development Plan approval.

An approved Final Landscape Plan and cost estimate with security will be required for permit approval.

SITE-SPECIFIC COMMENTS:

1. Provide 445-feet of intersection sight distance with the two intersections (Patapsco Glen Road and Ivory Brook Road) onto Johnnycake Road.
2. Label all streets as public and all alleys as private.
3. Public water mains may not be put in private streets or alleys.

4. Add trash pads in front of lot 79, across from lot 365 and two in front of lots 345 and 358.
5. Add the printed name and title to the delinquent account certification.
6. Provide benchmark information.
7. The developer shall investigate for availability of adequate fire flow at the site.
8. Show the proposed sewer main, manhole numbers and drawing numbers for the adjacent proposed pumping station.
9. Label the existing sewer manhole number into which you are connecting.
10. Show the proposed first floor elevations.
11. Show the top and bottom retaining wall elevations.
12. Label the curb return radii at both entrances along Johnnycake Road.
13. Show proposed streetlights spaced per standard on the interior streets and along the entire Johnnycake Road frontage.
14. Provide road names and addresses for all lots on the 30' scale plans.
15. On sheet DEV-2 label Cross Trails Road.
16. At the intersection of Ivory Brook Road and Johnnycake Road, move the walking trail to connect to Ivory Brook Road behind the proposed post and chain fence.
17. On sheet DEV-4 label the gas main and easement.
18. On sheet DEV-2 label the structure on Devine Road opposite lot 322 as well as the structure north of it in the HOA area.
19. The unsignalized intersections need to be analyzed using the HCM software for unsignalized intersections. CLV is fine for the signalized intersections. Revise the study accordingly.
20. There are two access points, Ivory Brook and Patapsco Glen. With the main access being Patapsco Glen, accel and decel lanes should be provided, if possible.

* * * * *

**BALTIMORE COUNTY,
MARYLAND**

Subject: Development Plan Comments

Date: November 27, 2015

From: Bureau of Development Plans Review for the Department of Recreation and Parks

Project Name: Patapsco Glen

Project Number: 01-0584

Zoning: DR 10.5, BM-IM

Location: 7726 Johnnycake Road

Districts: Election: 01 Council: 1

Comments:

This project is subject to the Adequate Public Facilities Act, Bill No. 110-99. The comments generated herein reflect the requirements of Bill No. 110-99 and the Baltimore County Local Open Space Manual, as adopted by the Baltimore County Council on February 22, 2000.

Local Open Space is required for this development.

The following are site/plan specific comments:

1. The Local Open Space required for 368 units is 368,000sf or 8.45 acres +/-; 239,200sf Active and 128,800sf Passive.
2. The plan states that 10.21 acres of both passive and active local open space will be provided. A Waiver of Standards for the open space was requested to preserve specimen trees and other natural elements on the site and was approved on September 28, 2015.
3. The Development Plan and Record Plats shall contain the following note: "HOA Open Space shall be owned and maintained by a Homeowners Association."
4. Retaining walls shall not be located within any Open Space parcel.
5. The open space shall be labeled "**HOA Open Space, Active**" and "**HOA Open Space, Passive**" with square footage and proposed grades shown for each parcel. Final grades shall be shown on the grading plan for Development Plan Review/Department of Recreation and Parks approval.

6. The Open Space shall be unencumbered by easements, clearly delineated with leaders or shading. For any lots adjacent to the open space, screening and/or fencing shall be provided along the property lines to deter encroachment and to define the open space limits.
7. Details shall be shown on the Development and Landscape Plans for all proposed amenities and pathways
8. The Open Space shall be owned and maintained privately or by a Homeowners/Condominium Association. A recorded copy of the declaration of covenants and restrictions assuring the existence and maintenance of the open space in perpetuity must be submitted to this office prior to the recordation of the plats, see Section V.E.2.a.
9. As part of the tracking process for Local Open Space and Greenway dedications, the Department requires that developers provide, prior to the close out approval, the recorded deeds for the required dedications, whether they be owned privately, publicly or by a Condo/Homeowners' Association.

Baltimore County Master Plan Designated Greenway Comments:

1. In addition to the Open Space requirements, **Dogwood Run** is a Master Plan designated Recreational Greenway. The area of the Greenway dedication shall be the limit of the 100-year floodplain or wetland or forest buffer associated with Dogwood Run, **whichever is greater.**
2. Show and label any existing Baltimore County Recreational Greenway Reservation /Easement parcels adjacent to the subject property.
3. The Recreational Greenway shall be clearly delineated and labeled "**Baltimore County Recreational Greenway Reservation.**" The Forest Buffer Easement must be labeled separately.
4. A note shall be added to the plan that reads, "Within the area shown as 'Baltimore County Recreational Greenway Reservation,' permitted uses may include public access for hiking, bicycling, fishing, nature/environmental studies and Baltimore County supervised trail improvements and maintenance, subject to the approval by the Department of Environmental Protection and Sustainability."
5. Refer to Section II.C for Goals and Objectives for Greenways, and Section IV for Greenway Standards.

Bureau of Development Plans Review for
Department of Recreation and Parks
111 West Chesapeake Avenue, Room 119
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND**Inter-Office Correspondence**

TO: Arnold Jablon, Director DATE December 16, 2015
Department of Permits and
Development Management
Attn: Darryl Putty

FROM: Brad Knatz
PDM. Bureau of Land Acquisition

SUBJECT: Patapsco Glen
PDM# 01-584

A review of the development plan for the above referenced project results in the following comments. These comments are advisory in nature.

1. Offsite rights of way must be acquired prior to record plat approval.
2. Access Easements, if necessary and approved by DEPS, should be shown for storm water management facilities, forest buffers, etc.
3. If offsite sight line easements are necessary per Development Plan Review's comments, the developer will be required to obtain these easements prior to record plat approval.
4. Please identify and label all existing and proposed drainage and utility easements, highway widenings and slope easements, stormwater management facilities, forest buffers, flood plains, greenways and open space areas. Please clearly indicate whether or not the above are to be dedicated to Baltimore County. Please delineate and label required dedications to Baltimore County. Please delineate and label required dedications for highway purposes as "Highway Widening Area", "Not Future", "Proposed" or "Ultimate" regardless of whether or not highway improvements will actually be required as part of the development.
5. Please label with deed references and provide dimensions for any private easement and/or right of ways that exist on the property. In addition, please provide the Bureau of Land Acquisition with a copy of the deed that created the private right of way or easement. Such information should be provided along with the next revision to the plan.

Arnold Jablon, Director
Department of Permits and
Development Management

6. Site-specific Comments

- a. The plan meets our requirements. No comments at this time.

BALTIMORE COUNTY, MARYLAND

PAI

INTER-OFFICE CORRESPONDENCE

DEVELOPMENT PLAN CONFERENCE

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

FROM: Andrea Van Arsdale, Director - Department of Planning

DATE: December 16, 2015

PROJECT NAME: Patapsco Glen

PROJECT NUMBER: I-584

PROJECT PLANNER: Lloyd Moxley

GENERAL INFORMATION:

Applicant Name: U.S. Home Corporation
c/o Joseph Fortino
10211 Wincopin Circle

Location: 7726 Johnnycake Road

Councilmanic District: 1st

Land Management Area: Resource Preservation Area, Community Conservation Area

Growth Tier: 1

Zoning: DR 10.5, BM IM

Acres: 58.611± acres

Surrounding Zoning and Land Use:

North:	RC 6	Residential, Agriculture, Vacant
South:	DR 5.5	Residential
East:	BM IM	Vacant
West:	RC 6	Residential

Project Proposal:

Applicant is proposing to develop 368 single family attached dwellings on a total of 58.6 acres more or less of which 54.9 acres is zoned D.R. 10.5 (density residential,10.5) the balance being BM-IM (business major with an industrial major district overlay) with associated parking and road network.

Project History:

The project was the subject of a Concept Plan Conference on March 10, 2015 and a Community Input Meeting held April 15, 2015.

Other Anticipated Actions and Additional Review Items:

- | | | |
|--|---|--|
| <input type="checkbox"/> Special Exception | <input type="checkbox"/> Special Hearing | <input type="checkbox"/> PUD |
| <input checked="" type="checkbox"/> Variance | <input checked="" type="checkbox"/> Compatibility | <input type="checkbox"/> Design Review Panel |
| <input type="checkbox"/> Waiver | <input type="checkbox"/> Scenic Route | <input checked="" type="checkbox"/> Other* |
| <input checked="" type="checkbox"/> RTA Modification | <input type="checkbox"/> Referral to Planning Board | |

*Modification of Standards

MEETINGS:

Post Submission Community Input Meeting	_____	Pre-Concept Plan Conference	_____
Concept Plan Conference	<u>03/10/2015</u>	Community Input Meeting	<u>04/15/2015</u>
Development Plan Conference	<u>12/16/2015</u>	Administrative Law Judge's Hearing	<u>01/22/2016</u>

SCHOOL IMPACT ANALYSIS:

The proposal is within the boundaries of the following schools:

- Dogwood Elementary School
- Windsor Mill Middle School
- Woodlawn High School

The applicant has submitted a School Impact Analysis (SIA) in accordance with Section 32-6-103 of the Baltimore County Code. The Department of Planning has reviewed the report and offers the following comments:

- Correct all forms to reflect the correct filing date of 10/29/2015.
- Recalculate pupil yields based upon the 10/29/2015 filing date on all pertinent forms.

RECOMMENDATION:

The Department of Planning has reviewed the Development Plan for conformance with Concept Plan comments of March 10, 2015 and recommends the Development Plan be **APPROVED** subject to the listing below.

ZONING VARIANCES / MODIFICATION OF STANDARDS:

Recommendation of overall support

The Department recommends that the entirety of the petitioned zoning relief as outlined in plan General Note #18 be granted. The requested zoning relief does not present a hazardous condition within the immediate development site nor the neighborhood as defined pursuant to BCC Section 32-4-402(a). The petitioned relief is necessary in order to respond to challenging topographic conditions on site in a way that is sensitive to environmental conditions while establishing a functional street

network and providing extensive centrally located open space. As modified, the proposed development is appropriate to the greater visions and goals of Master Plan 2020 in that the site will be a compact, walkable community inside the URDL taking the greatest advantage of urban infrastructure and relieving development pressure on more resource sensitive lands within the county.

Recommendations on townhouse groupings

The project proposes a Variance / Modification of Standards of the Comprehensive Manual of Development Policies (CMDP) to allow townhouse groupings in excess of the maximum 6 units as established within Division 1 of the CMDP. As modified, the plan proposes no more than 8 attached units having a length of less than the maximum 220 feet cited in the CMDP. The Department recommends that the scale and mass of the modified single family attached units remain within the compatibility objectives established in BCC Section 32-4-402. Impacts from the modified single family attached units are mitigated through the use of design characteristics to include staggered front facades and a mix of materials such that they present no more impact than those permitted by right.

Recommendations on units located within the Residential Transition Area

The Department recommends the development proposal remains consistent with the compatibility objectives of BCC 32-4-402 in respect to the petitioned variances to the height and location of the single family attached (SFA) units within the Residential Transition Area (RTA).

The units are similar to the other units in the proposed development along Johnnycake Road and therefore contribute to establishing a consistent road edge. It is the recommendation of the Department that upon the installation of extensive vegetative screening at the terminus of Street E adjacent to Johnnycake Road the parking layout is accomplished in such a way that there is no adverse impact upon the neighborhood.

Recommendations on reduction of or alteration of the Residential Transition Area

Johnnycake Road presents a substantial physical separation between the dissimilar housing types. Johnnycake Road is classified as a major collector road, having potentially far greater impact on the existing single family detached dwellings (SFD) than the proposed residential use. Sufficient on-site space to install vegetative screening to buffer the sides of the proposed SFA units from the side or rear of the adjacent SFD dwellings exists. Although the adjacent Parkview Trail was not subject to RTAs due to the fact the dissimilar units did not exist at the time of development, the act of constructing SFA units less than 100' from SFD units which resulted from that plan demonstrates that the two types of housing units can function in a compatible manner without an intervening RTA buffer. The applicant has provided cross-sections to illustrate the relationship of the proposed new townhomes and the existing single-family detached dwellings where the RTA relief has been requested. These illustrations clearly demonstrate the efforts to heavily landscape this area in conjunction with extensive hardscaping and fencing.

PLAN:

1. Indicate the public/private status of all roads.
2. On those units having off-street parking in front, a parking area of a minimum of 18' in depth must be provided so that parked vehicles do not hang over the sidewalk.
3. Provide an opaque wing wall projection of at least 10' from and parallel to those side facades closest to the public R-O-W for lots 276, 236, 25, 18, 59, 78, 69, 17, 58, 275, 32, 39, 269, 329, 330, 339, 320, 119, 100, 92, 340, 345, 118, 202, 203, 210, 211, 218 and 47 to screen a portion of the rear yards from the street to afford privacy. Include a detail of the wall to include colors and materials within the pattern book.

4. Rework the multi-use path at the end of Ivory Brook Road to provide a continuous smooth alignment.
5. Provide a multi-use path connection between the end of Partin Road near unit 368 and Devine Road.
6. Provide extensive plantings at the end of Street E to screen the parking area in response to the compatibility objectives of BCC 32-4-402.
7. Identify on the plan materials proposed for the multi-use path and ensure an 8' width is maintained throughout. At the intersection of Ivorybrook and Johnnycake Roads provide 8' wide curb ramps and crosswalk to accommodate the multi-use path.
8. Revise note # 18 to state the requested height of structures proposed to be located within the RTA in lieu of the permitted height.

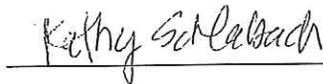
PATTERN BOOK:

1. Add lots 69, 78, 79, 83, 59, 38, 92, 58, 118, 134, 210, 203, 218, 211, 345, 358, 258, 264, 268, 320 and 339 to the list of hi-visibility lots on page 34.
2. Include square footage /element count requirements of Section 260.6 to the hi-visibility and standard side elevations and indicate the square footage of those side facades.
3. Add dimensions to all provided typical layouts.
4. Provide dimensions for the front loaded garage doors as a percentage of the overall façade width.
5. Indicate by note on the front building elevations that *"All end units will incorporate a gable feature at the roofline"*.
6. Provide a large scale detail on the plan showing the HVAC and parking layout for the rear loaded units. Include details as to how the screening is accomplished.
7. Indicate plainly the overall height of the dwellings.
8. Note in the pattern book at those places where garage doors are depicted that *"all garage doors shall include windows and decorative patterns and shall be of a similar or blending color to the primary façade or trim"*.
9. Provide a detail of the stairs located on the multi-use path to show a narrow ramp or gutter to accommodate bicycles (see pg. D-3 of the Complete Street Guidelines for an example).

Prepared By:



Division Chief:



KS:LTM/JGN:kma

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & SUSTAINABILITY

DEVELOPMENT PLAN COMMENTS

Project Name: Patapsco Glen
Project Location: 7726 Johnnycake Road
Date of Meeting: December 16, 2015
Reviewer(s): John Russo

ENVIRONMENTAL IMPACT REVIEW

- X The following corrections must be made to the Development Plan prior to approval:
 - X Add the standard Forest Buffer and/or Forest Conservation Easement or Reservation notes (see additional comment).
 - X The Forest Buffer and/or Forest Conservation area must be recorded as an Easement.
 - X An Environmental Agreement (EA) must be submitted prior to building or grading permits.
 - X EIR needs to review the following plans during Phase II:
 - X Grading and Sediment Control Plans.
 - X Final mitigation plans (must be reviewed and approved prior to Grading Plan approval and may be combined with the Final Forest Conservation Plan.).
 - X Final Forest Conservation Plan.
- X Additional Comments:

Add the following notes on sheet 1 of 8 after the notes regarding the environmental variances:

DEVELOPMENT PLAN COMMENTS

Project Name: Patapsco Glen

Date of Meeting: December 16, 2015

“There shall be no clearing, grading, construction or disturbance in the Forest Buffer Easement, Forest Buffer and Forest Conservation Easement, and Forest Conservation Easement except as permitted by the Baltimore County Department of Environmental Protection and Sustainability.”

Any Forest Buffer Easement, Forest Buffer and Forest Conservation Easement, and 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.”

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DEVELOPMENT PLAN CONFERENCE COMMENTS

EPS Project ID: A097549

Project: Patapsco Glen

Address/Location: 7726 Johnnycake Road

Date & Time: December 16, 2015 @ 9:00 am

Assignee: Robert T. Wood, Jr.

STORMWATER MANAGEMENT COMMENTS:

Note: Comments are advisory in nature and may or may not be applicable to this project. More specific comments will be provided with review of the Development Plan.

1. The Stormwater Management Act of 2007:

- A. The Developer is responsible to address the requirements of the Baltimore County Code, Section 33-4.
- B. Provisions for exemptions, waivers and variances for Stormwater Management (SWM) are described in this document. Exemptions, waivers and variances should be applied for and granted (or denied) by the Department before Development Plan approval is given.
- C. The Concept SWM plan must be approved by EPS before Development Plan approval.
- D. Conditions for recording plats and approving grading and building permits, as related to SWM, are also described in this document. The developer is advised to be aware of these conditions and include them in planning the project to avoid unnecessary delays.

2. General Engineering Requirements:

- A. Water quality storage volume (WQ_v), Recharge Storage Volume (Re_v) and Channel Protection Volume (Cp_v) are to be addressed using Environmental Site Design to the maximum extent practicable. If the development is in certain designated inter-jurisdictional watersheds or, if deemed necessary by Baltimore County, Extreme Flood Protection (Qf) or 100 year peak management may also be required.
- B. Please refer to the 2000 Maryland Stormwater Design Manual, Volumes I & II including the Stormwater Act of 2007 revisions, chapters on Environmental Site Design for general design criteria. Hydrology shall be in accordance with the June 1986 version of TR-55. After August 2010, project must use the latest NRCS Soil Classification at their website. Refer to Chapter 5, Environmental Site Design. Provide Environmental Site Design (ESD) to the maximum extent practicable using small-scale stormwater management practices, non-structural techniques and better site planning to mimic natural hydrologic runoff characteristics and minimize the impact of land development on water quality.
- C. The developer is responsible for addressing all applicable requirements of Federal, State and Local agencies, whether within or outside of Baltimore County, having jurisdiction over water quality, streams or wetlands.
- D. SWM Best Management Practices (BMP's) are also subject to review and approval by the Baltimore County Soil Conservation District (SCD).

DEVELOPMENT PLAN CONFERENCE COMMENTS

EPS Project ID: A097549

Project: Project: Patapsco Glen

- E. SWM BMP's, which outfall to a Baltimore County right of way storm drain system or flood plain, will be reviewed concurrently by the Developers Plan Review (PAI) and EPS.
- F. Site design must maintain, to the maximum extent possible, predevelopment drainage patterns and characteristics. Diversion of drainage is discouraged and EPS reserves the right to prohibit drainage diversions it finds detrimental.

3. Maintenance Requirements:

- A. Stormwater management facilities may be maintained by Baltimore County and SWM BMP's must be enclosed in a Stormwater Management Reservation, as shown on the record plat, to allow the facility to be deeded in-fee to Baltimore County. In fee access is required for Baltimore County Maintenance.
- B. Private maintenance of SWM BMP's is acceptable. A Deed of Declaration and Easement must be executed by the developer guaranteeing maintenance of, and County access to SWM BMP's before the SWM permit security may be released. SWM BMP's in residential subdivisions are to be maintained privately by a Homeowners Association and shall be designed according to the requirements for public facilities.

4. Guidelines for Development Plan Approval:

- A. Show type, size and location of all Best Management Practices (BMP's) on the Development Plan. Concept stormwater management plans must be approved.
- B. Show that all outfalls from BMP facilities and bypass areas are "suitable" as defined by the Baltimore County Department of Public Works and the Department of Environmental Protection and Sustainability (EPS).
- C. Show that the BMP facilities do not create a hazard. An example of a hazard would be an embankment dam located such that, in the event of a breach failure, down stream life or property is endangered.
- D. List on the Development Plan any waiver or variance and give the date of approval by Baltimore County.

DEVELOPMENT PLAN CONFERENCE COMMENTS

EPS Project ID: A097549

Project: Patapsco Glen

5. Site - Specific Comments:

In addition to the above, each project will be given a brief review by EPS's Stormwater Management personnel, and a set of specific comments will be provided. The developer is responsible for addressing the following site-specific comments:

- A. Water quality volume (WQ_v), Recharge storage volume (Re_v), Channel protection volume (Cp_v) are required using ESD to the MEP.
- B. All site runoff must be conveyed to a suitable outfall without adversely affecting the receiving wetland, watercourse, waterbody, storm drain or adjacent property.
- C. Provide BMP and ESD volume computations and drainage area maps indicating any by-pass areas at least four weeks prior to the Development Plan Conference. Include plans showing area(s) needed for BMP(s) as dictated by the MDE design manual. These areas should be separated to include pre-treatment, WQ_v and quantity management areas as required.
- D. Building and grading permits will not be issued until BMP, ESD plans are approved.
- E. This project is subject to the stormwater management requirements that Baltimore County adopted on July 2, 2001 and revised under the 2007 MDE SWM regulations for Environmental Site Design (ESD) features.
- F. BMP and ESD sizing computations must be referenced to the 2000 and 2007 Maryland Stormwater Design Manual by page and section.
- G. Chain link fence, meeting current County Standards, shall be used on all stormwater management facilities in residential developments that require fencing. Fence construction shall be in accordance with State Highway Administration Standard Details 690.01 and 690.02 and Maryland State Highway Administration Standard Specifications for Construction and Material Section 914.
- H. Please note; on use III or IV waters, the maximum release time for Cp_v shall be 12 hours.
- I. 3:1 interior slopes are required for all proposed structural stormwater management facilities.
- J. Show proposed storm drains and swales to verify how proposed runoff gets to the BMP's, ESD's and SWM facilities. Swales needed as part of the SWM strategy need to be within a D&U Easement so as to be able to enforce that their operation will be maintained.
- K. Show proposed BMP facility or pond contours and outfalls. Public pond access is required "in-fee" up to a public right-of-way.
- L. Show all BMP locations, easements, reservations, etc. needed to support the computations and regulations.
- M. Diversion of drainage is discouraged. Diversions greater than 1 acre need to be submitted to and approved by Baltimore County Department of Public Works (DPW) prior to acceptance by EPS.
- N. ESD practices must be shown in easements on plan with bearings and distances.
- O. This project **does** meet the Baltimore County Code Development Plan requirements at this time.

c: James A. Markle, P.E.

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: 12/9/2015

TO: Jeff Livingston, Development Coordination
Department of Environmental Protection & Sustainability

FROM: Clare M. Brunner, L.E.H.S., Ground Water Management
Department of Environmental Protection & Sustainability

SUBJECT: Project Name: Patapsco Glen
Plan Type: Development Plan
Plan Date: October 27, 2015

Ground Water Management has the following comments on the above referenced plan:

Comments	Date Resolved	Reviewer
1. Prior to Record Plat approval, the existing well must be back-filled by a licensed Master Well Driller who must submit a well abandonment report to this office		
2. Prior to Record Plat approval, the entire existing septic system must be located, documented and pumped and back-filled or removed by a licensed sewage disposal contractor. The abandonment report must be submitted to DEPS		
3. The existing sewer line shown on plan must be removed		

Note: Please include a revision date on all revised plans submitted.

PA1



Larry Hogan, *Governor*
 Boyd K. Rutherford, *Lt. Governor*

Pete K. Rahn, *Secretary*
 Gregory C. Johnson, P.E., *Administrator*

November 30, 2015

Mr. Jan M. Cook
 Acting Development Manager
 Development/Management/Permits
 Inspections & Approvals
 County Office Building-Room 123
 111 West Chesapeake Avenue
 Towson, MD 21204

RE: Baltimore County
 Johnnycake Road (north side)
 opposite Cross Trails Road
 "Patapsco Glen"
 Development Plan
 PAI No. 01-0584
 Tracking No. MAJ-2015-00003

Attn: Mr. Darryl D. Putty

Dear Mr. Cook:

Thank you for the opportunity to review the Development Plan for the Patapsco Glen residential development. The State Highway Administration (SHA) has reviewed the plan and is pleased to respond:

- SHA has no objection to plan approval as the proposed access to this site is from a county road.

If there are any questions, please contact Mr. Richard Zeller at 410-229-2332 or toll free (in Maryland only), 1-866-998-0367 (extension 2332) or by email at (rzeller@sha.state.md.us).

Sincerely,

David W. Peake
 Metropolitan District Engineer
 Baltimore and Harford Counties

cc: Colbert Matz Rosenfelt, Inc. / 2835 Smith Avenue, Suite G, Baltimore, MD 21209
 Security Boulevard Ventures LLC / 1 Olympic Place, Suite 1210, Towson, MD 21204
 U.S. Home Corporation c/o Joseph Fortino / 10211 Wincopin Circle, Suite 300
 Columbia, MD 21044
 Mr. Dennis A. Kennedy / Baltimore County Development Management
 111 W. Chesapeake Avenue, Towson, MD 21204

BALTIMORE COUNTY, MARYLAND**INTER-OFFICE CORRESPONDENCE****DEPARTMENT OF PERMITS AND DEVELOPMENT
MANAGEMENT**

DATE: December 15, 2015

TO: Darryl D. Putty
Project Manager

FROM: Joe Chmura
House Numbers and Road Names Section

SUBJECT: Patapsco Glen
PAI #01-0584
Development Plan Conference

Property addresses must be shown on each lot on the Development Plans as assigned at Concept Plan Conference and subsequently. The Variance Chart on sheet 7 of 8 cannot be the sole source of addresses.

Label Street "E" an alley as no lots front on it.

Larry Hogan, *Governor*
Boyd K. Rutherford, *Lt. Governor*



Pete K. Rahn, *Secretary*
Gregory C. Johnson, P.E., *Administrator*

November 30, 2015

Mr. Jan M. Cook
Acting Development Manager
Development/Management/Permits
Inspections & Approvals
County Office Building-Room 123
111 West Chesapeake Avenue
Towson, MD 21204

RE: Baltimore County
Johnnycake Road (north side)
opposite Cross Trails Road
"Patapsco Glen"
Development Plan
PAI No. 01-0584
Tracking No. MAJ-2015-00003

Attn: Mr. Darryl D. Putty

Dear Mr. Cook:

Thank you for the opportunity to review the Development Plan for the Patapsco Glen residential development. The State Highway Administration (SHA) has reviewed the plan and is pleased to respond:

- SHA has no objection to plan approval as the proposed access to this site is from a county road.

If there are any questions, please contact Mr. Richard Zeller at 410-229-2332 or toll free (in Maryland only), 1-866-998-0367 (extension 2332) or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink that reads "Richard A. Zeller".

David W. Peake
Metropolitan District Engineer
Baltimore and Harford Counties

cc: Colbert Matz Rosenfelt, Inc. / 2835 Smith Avenue, Suite G, Baltimore, MD 21209
Security Boulevard Ventures LLC / 1 Olympic Place, Suite 1210, Towson, MD 21204
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Mr. Dennis A. Kennedy / Baltimore County Development Management
111 W. Chesapeake Avenue, Towson, MD 21204



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

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

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

March 2, 2017

HAND DELIVERED

Andrew Belt, Chairman
Board of Appeals of Baltimore County
105 West Chesapeake Avenue, Suite 203
Towson, Maryland 21204



Re: PATAPSCO GLEN
Property Owner, Security Boulevard Ventures, II, LLC; C.P., U.S. Home Corp.
7726 Johnnycake Road
Zoning Case No.: 2016-109-A & HOH Case No.: 01-0584

Dear Chairman Belt,

There are two combined cases scheduled for hearing March 9, 2017. These are, respectively, a *de novo* zoning variance case and a development plan case for a residential townhouse development on Johnnycake Road. Our office participated in the proceedings below. ALJ Beverungen denied the variances and also their reconsideration but otherwise approved the development plan. Petitioners appealed the variance denials. To be consistent, our office and the protestants appealed the development plan approval.

The petitioners, Security Boulevard Ventures, II, LLC, et al. and the Protestants, Greater Patapsco Community Association, and Kathy Wolfson have communicated to our office their agreement with respect to a revised plan more acceptable to the Protestants and, as we understand it, with some reduction in density and other modifications.

Our understanding also is that Petitioners intend to proceed at the hearing only on the variance petition, as amended to reflect the revised plan. Under these circumstances, our office does not see a need to participate further at the trial of the variance case.

This leaves pending our development plan appeal. In our view, this should be stayed. Otherwise, the original development plan might stand approved, contrary to the agreement of the parties as we understand it.

Andrew Belt, Chairman

March 2, 2017

Page 2

In the event the variances are granted and the decision becomes final, it is our understanding that Petitioners will submit a new or revised development plan through the development process. In that event, if the Petitioners also receive subsequent final approval of their revised development plan through the development process, all the parties will review the appropriate procedure for the Board's disposition of our office's development plan appeal.

Sincerely,

A handwritten signature in cursive script that reads "Peter Max Zimmerman".

Peter Max Zimmerman
People's Counsel for Baltimore County

cc: Patricia Malone, Esquire, attorney for Petitioner (sent via email & first class mail)
Adam Rosenblatt, Esquire, attorney for Petitioner (sent via email & first class mail)
Cathy Wolfson, Greater Patapsco Community Assoc. (sent via email & first class mail)
Kathleen Skullney, Esquire, attorney for Protestants (sent via email & first class mail)

GENERAL NOTES

- 1. OWNER: SECURITY BOULEVARD VENTURES LLC... 2. SITE AREA: 2,553.08 SF OR 0.58611 AC... 3. ZONING: D.R. 10.5 2,385,118 SF OR 54.884 AC... 4. USES: EXISTING VACANT... 5. DENSITY: D.R. 10.5 2,385,118 SF OR 54.884 AC... 6. AVERAGE DAILY TRIPS: 6 PER UNIT... 7. SITE DATA: ADDRESS: 7726 JOHNNYCAKE ROAD... 8. REQUIRED PARKING: 2 SPACES PER DWELLING UNIT... 9. STORMWATER MANAGEMENT: IS REQUIRED FOR THIS PROJECT... 10. DEVELOPMENT AS PROPOSED WILL INCLUDE PROTECTIVE MEASURES... 11. THIS SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOOD PLAIN AREA... 12. THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA... 13. THIS SITE IS SERVED BY PUBLIC WATER AND SEWER... 14. THERE ARE NO KNOWN HAZARDOUS MATERIALS LOCATED ON SITE... 15. THERE ARE NO HISTORIC STRUCTURES LOCATED ON SITE... 16. ZONING HISTORY: CASE NO. 2011-0001AC; PETITION FOR ZONING MAP CORRECTION... 17. REQUESTED VARIANCES: VARIANCE FROM BCZR SECTION 1901.2.C.1.C TO PERMIT FRONT BUILDING FACE TO PROPERTY LINE SETBACKS... 18. VARIANCE FROM BCZR SECTION 1901.2.C.1.C TO PERMIT REAR BUILDING FACE TO PROPERTY LINE SETBACKS... 19. ANY PROPOSED SIGNS WILL COMPLY WITH SECTION 450 OF THE BCZR... 20. BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON A FIELD SURVEY PERFORMED BY COLBERT MATZ ROSENFEIT, INC. DATED JANUARY 13, 2015... 21. THE EXISTING WELL AND SEPTIC SYSTEM WILL BE REMOVED AND BACKFILLED BY A LICENSED WELL AND SEPTIC CONTRACTOR... 22. THE BALTIMORE COUNTY FIRE PREVENTION CODE, COUNTY BILL NO. 63-13, SECTION 116.12.1, REQUIRES THAT THE ADDRESS SIZE FOR RESIDENTIAL OCCUPANCIES BE A MINIMUM OF THREE (3) INCHES... 23. A CRUISER RUN ROADWAY FOR ACCESS TO DWELLINGS AND FIRE HYDRANTS SHALL BE AVAILABLE FOR AND USABLE BY EMERGENCY FIRE APPARATUS... 24. WHERE FIRE PROTECTION WATER SUPPLIES ARE REQUIRED TO BE PROVIDED SHALL BE INSTALLED AND MADE AVAILABLE FOR USE NO LATER THAN THE TIME WHEN CONSTRUCTION OF ANY INDIVIDUAL DWELLING UNIT IS UNDER ROOF... 25. ADDRESS SIGNAGE SHALL BE PROVIDED AT COMMON LEAD WALKS FOR UNITS 79-82... 26. GARAGES CANNOT BE CONVERTED TO NON-GARAGE OR STORAGE USE... 27. ON SEPTEMBER 29, 2015, A VARIANCE WAS GRANTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY... 28. AN ALTERNATIVE ANALYSIS WAS APPROVED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY... 29. A VARIANCE TO BALTIMORE COUNTY'S FOREST CONSERVATION LAW WAS GRANTED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION... 30. ALL FIRE HYDRANTS ARE PUBLIC AND SHALL BE PAINTED ORANGE IN ACCORDANCE WITH THE BALTIMORE COUNTY FIRE PREVENTION CODE... 31. HOA OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION... 32. A BLANKET ACCESS EASEMENT FOR FOREST CONSERVATION AND FOREST BUFFER WILL BE PROVIDED... 33. NO PARKING SIGNS SHALL BE INSTALLED IN ALL ALLEYS... 34. IT SHALL BE THE PROPERTY OWNER'S RESPONSIBILITY TO ASSUME THE FINANCIAL COST FOR ANY DESIGNATED 'NO PARKING' SIGNS...

SHEET DEV-3

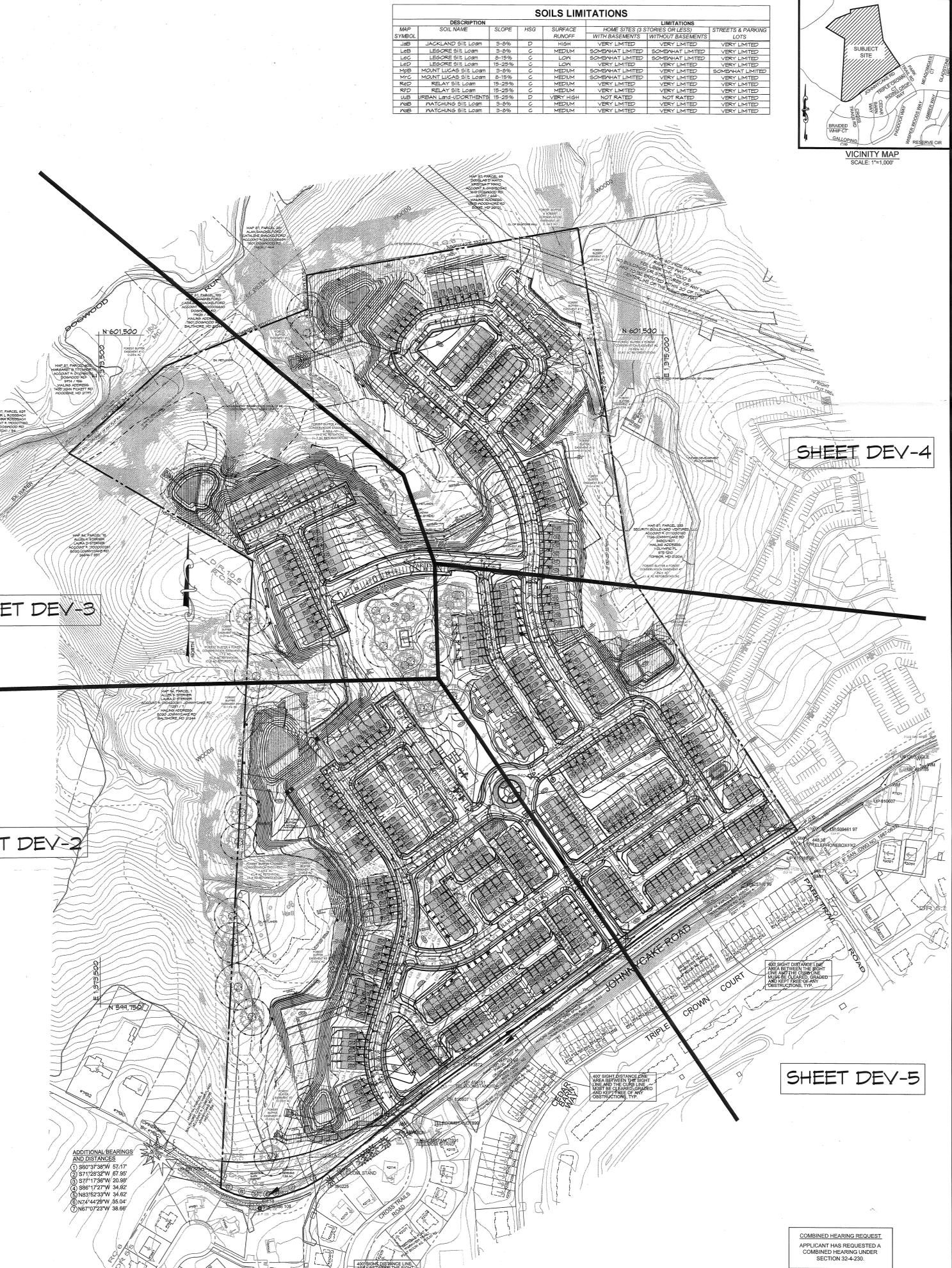
SHEET DEV-2

ADDITIONAL BEARINGS AND DISTANCES

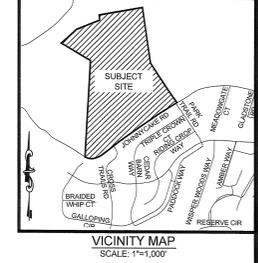
- 1. 89°37'39"W 57.17'
- 2. 27°25'23"W 67.38'
- 3. 57°17'39"W 57.38'
- 4. 88°17'27"W 34.62'
- 5. 100°00'00"W 36.67'
- 6. N74°44'29"W 55.04'
- 7. N67°07'23"W 38.69'

ADDITIONAL ADJACENT PROPERTY OWNER INFORMATION

Table listing adjacent property owners with columns for owner name, address, and contact information.



SOILS LIMITATIONS table with columns: MAP SYMBOL, SOIL NAME, SLOPE, HSG, SURFACE, HOME SITES (3 STORES OR LESS), LIMITATIONS WITH BASEMENTS, LIMITATIONS WITHOUT BASEMENTS, STREETS & PARKING LOTS.



DEDICATION TABLE listing various easements and their total area in square feet.

CERTIFICATE OF DELINQUENT ACCOUNTS. Includes a signature line and date.

PAI # 01-0584 DEVELOPMENT PLAN AND PLAN TO ACCOMPANY ZONING PETITIONS

Project information including address (7726 JOHNNYCAKE ROAD), owner name (Colbert Matz Rosenfelt, Inc.), date (OCTOBER 27, 2015), and scale (1" = 100').

Vertical text on the right edge of the page, likely a project ID or reference number.

SWM Easement #15 Line Table

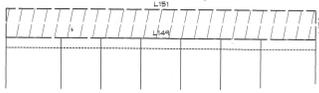
Line #	Length	Direction
L153	24.44	N71° 51' 55.13"W
L154	134.04	S12° 50' 04.12"W
L155	14.14	S21° 50' 04.12"W
L156	47.14	S12° 50' 04.12"W
L157	40.00	N11° 02' 50.85"W
L158	47.14	N12° 50' 04.12"E
L159	14.14	S62° 04' 50.85"E
L160	61.97	N12° 50' 04.12"E
L161	21.80	N25° 24' 13.59"W
L162	55.62	N24° 14' 51.45"W
L163	41.70	N24° 12' 30.56"W
L164	150.77	S41° 21' 51.21"E
L165	34.12	S10° 33' 14.84"E
L166	15.64	N14° 54' 13.24"W
L167	26.42	N48° 01' 00.04"W
L168	155.83	S41° 52' 54.96"W
L169	75.68	S48° 01' 00.04"E
L170	33.20	S71° 59' 11.61"E
L171	14.55	S60° 51' 12.24"W

SWM Easement #15 Curve Table

Curve #	Length	Radius	Chord Direction	Chord Length	Delta Angle	Tangent
C15	5.76	74.00	S71° 12' 21"W	5.73	47° 23' 36"	2.87
C16	2.34	74.00	S21° 10' 48"E	2.34	21° 20' 51"	1.42
C17	2.10	87.67	S41° 40' 57"E	2.10	11° 21' 51"	1.08

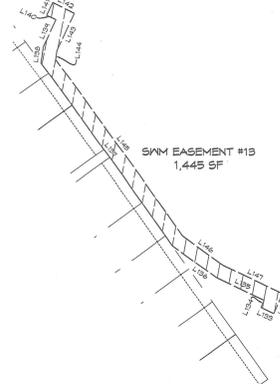


SWM Easement #14
2,325 SF



SWM Easement #14 Line Table

Line #	Length	Direction
L141	155.00	N71° 26' 40.14"E
L142	155.00	S71° 26' 40.14"W
L143	15.00	N10° 33' 14.84"W

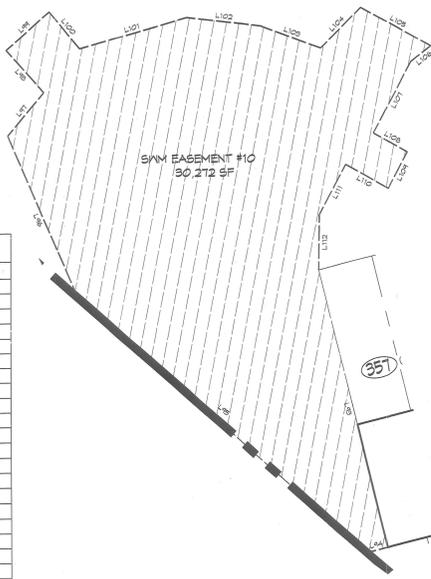


SWM Easement #13 Line Table

Line #	Length	Direction
L131	7.00	S76° 00' 18.68"E
L132	28.12	S75° 54' 01.04"E
L133	112.51	S49° 38' 21.74"E
L134	8.51	S21° 40' 22.27"E
L135	15.00	S19° 42' 55.85"W
L136	7.00	S19° 24' 04.97"W
L137	11.88	N14° 59' 59.07"W
L138	20.87	N13° 42' 55.85"E
L139	108.12	N48° 38' 21.74"W
L140	52.75	N78° 34' 01.04"W
L141	10.74	N19° 54' 41.53"E

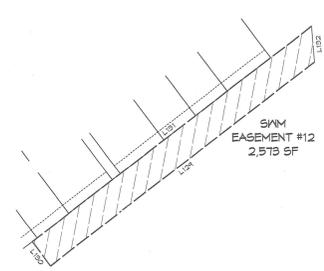
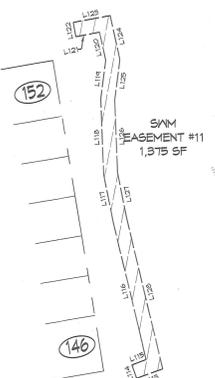
SWM Easement #10 Line Table

Line #	Length	Direction
L101	140.67	N28° 00' 42.49"W
L102	10.78	N64° 54' 11.92"E
L103	181.73	S54° 50' 20.00"E
L104	81.09	S54° 42' 58.93"E
L105	21.73	S24° 34' 24.00"W
L106	26.07	S92° 57' 59.40"E
L107	28.62	S58° 12' 14.91"W
L108	25.78	N50° 48' 33.71"W
L109	55.77	S69° 37' 41.89"W
L110	31.97	S59° 38' 39.90"W
L111	32.21	N20° 48' 44.53"W
L112	28.30	S24° 21' 18.47"W
L113	42.27	N12° 11' 48.20"W
L114	12.88	N41° 04' 30.76"E
L115	34.28	N11° 48' 10.72"E
L116	13.39	N72° 11' 44.28"W
L117	20.00	N11° 48' 10.72"E
L118	24.39	S12° 11' 44.28"E
L119	21.68	N11° 48' 10.72"E
L120	21.47	N10° 14' 11.85"W



SWM Easement #11 Line Table

Line #	Length	Direction
L111	13.86	S54° 47' 45.17"W
L112	7.00	N20° 12' 14.84"W
L113	7.56	N94° 47' 49.11"E
L114	70.21	N24° 20' 34.27"W
L115	23.78	N22° 09' 01.47"W
L116	31.01	N12° 54' 36.43"W
L117	15.04	N9° 11' 16.85"W
L118	13.77	N25° 28' 36.76"W
L119	7.00	N31° 14' 04.28"W
L120	18.84	N68° 48' 55.72"E
L121	21.78	S29° 28' 56.76"E
L122	14.70	S31° 11' 16.85"E
L123	39.89	S12° 54' 36.43"E
L124	23.08	S22° 09' 01.47"E
L125	78.37	S24° 20' 40.54"E

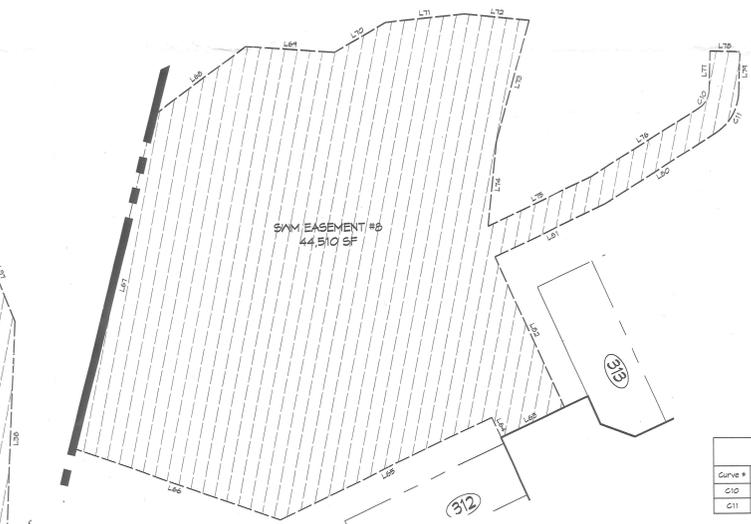


SWM Easement #12 Line Table

Line #	Length	Direction
L121	166.70	S41° 52' 54.96"W
L122	15.00	N41° 01' 00.04"E
L123	176.52	N41° 52' 54.96"E
L124	17.82	S19° 24' 40.06"E

SWM Easement #8 Line Table

Line #	Length	Direction
L81	39.00	N84° 18' 43.00"E
L82	11.00	S58° 41' 11.00"E
L83	111.00	N84° 18' 43.00"E
L84	104.96	S01° 50' 00.00"E
L85	57.49	S42° 51' 16.45"W
L86	44.95	S62° 56' 34.28"W
L87	24.37	S44° 04' 22.95"W
L88	34.14	S73° 18' 39.60"W
L89	32.81	S59° 09' 14.61"W
L90	82.22	N41° 24' 01.87"E
L91	41.52	N4° 56' 45.37"W
L92	36.48	S54° 14' 32.12"W
L93	69.89	S47° 29' 46.80"W
L94	14.52	S47° 29' 21.65"E
L95	15.00	S60° 56' 36.11"W
L96	14.52	N47° 29' 21.65"W
L97	64.80	N47° 20' 46.80"E
L98	61.08	N54° 14' 32.12"E
L99	82.38	N35° 41' 17.00"W

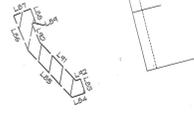


SWM Easement #8 Curve Table

Curve #	Length	Radius	Chord Direction	Chord Length	Delta Angle	Tangent
C8	9.40	10.00	S19° 59' 49"W	4.50	56° 44' 09"	5.40
C9	24.76	25.00	N18° 59' 43"E	23.76	59° 44' 09"	13.50

SWM Easement #9 Line Table

Line #	Length	Direction
L91	7.00	N30° 17' 22.85"W
L92	7.00	N94° 42' 38.12"E
L93	51.40	S58° 16' 40.12"E
L94	16.11	S59° 41' 41.50"E
L95	9.08	S59° 17' 07.62"W
L96	7.00	N32° 42' 52.80"W
L97	10.26	N39° 41' 41.30"W
L98	25.64	N58° 16' 40.12"W
L99	2.54	S54° 42' 34.12"W



SWM Easement #7 Line Table

Line #	Length	Direction
L71	21.72	S21° 14' 22.86"E
L72	87.04	S56° 39' 45.00"W
L73	87.62	N62° 59' 18.18"E

SWM Easement #7 Curve Table

Curve #	Length	Radius	Chord Direction	Chord Length	Delta Angle	Tangent
C7	61.92	345.00	N29° 36' 27"W	61.41	119° 49'	35.87

SWM Easement #1 Line Table

Line #	Length	Direction
L1	21.94	N7° 09' 57.61"E
L2	62.27	S75° 58' 59.43"E
L3	56.34	N01° 20' 53.59"E
L4	56.82	S61° 24' 01.43"E
L5	20.01	S28° 50' 15.42"W
L6	50.64	N61° 24' 01.43"W
L7	44.78	S01° 12' 30.67"W
L8	16.32	S7° 52' 44.93"E
L9	47.21	S77° 41' 59.97"E
L10	20.01	S10° 33' 04.20"W
L11	34.00	N77° 42' 04.50"W
L12	87.54	S09° 31' 58.76"W
L13	47.91	N39° 20' 33.91"W
L14	49.43	S64° 01' 46.09"W

SWM Easement #3 Line Table

Line #	Length	Direction
L31	19.00	N62° 02' 10.09"W
L32	31.68	N27° 57' 44.48"E
L33	34.76	N18° 40' 04.22"E
L34	50.28	N31° 57' 52.47"E
L35	129.62	N16° 11' 28.58"E
L36	46.30	N25° 44' 38.94"W
L37	47.03	N38° 10' 44.78"W
L38	37.62	N54° 59' 30.04"W
L39	15.00	N68° 56' 35.64"E
L40	34.70	S54° 59' 30.04"E
L41	44.95	S04° 10' 44.95"E
L42	30.42	S22° 44' 30.42"E
L43	107.64	S18° 11' 28.58"W
L44	30.34	S21° 57' 52.47"W
L45	38.55	S16° 40' 04.22"W
L46	33.17	S27° 57' 44.48"W

SWM Easement #4 Line Table

Line #	Length	Direction
L41	48.29	N59° 28' 11.00"W
L42	88.00	N59° 39' 43.00"E
L43	48.29	S59° 28' 11.00"E
L44	88.00	S59° 39' 43.00"E

SWM Easement #5 Line Table

Line #	Length	Direction
L51	28.64	N39° 41' 17.00"W
L52	42.08	S39° 41' 17.00"E

SWM Easement #6 Line Table

Line #	Length	Direction
L61	91.56	N10° 36' 13.92"W
L62	104.89	N54° 59' 42.88"E
L63	33.42	N32° 51' 01.56"E
L64	144.97	S33° 26' 20.48"E
L65	87.82	S56° 39' 45.00"W
L66	92.10	N74° 01' 14.82"W
L67	36.24	S48° 51' 54.37"W
L68	31.02	S56° 39' 42.88"W

SWM Easement #6 Curve Table

Curve #	Length	Radius	Chord Direction	Chord Length	Delta Angle	Tangent
C6	39.04	67.00	N78° 40' 02"E	64.64	201° 02' 37"	11.96

SWM Easement #1 Line Table

Line #	Length	Direction
L1	21.94	N7° 09' 57.61"E
L2	62.27	S75° 58' 59.43"E
L3	56.34	N01° 20' 53.59"E
L4	56.82	S61° 24' 01.43"E
L5	20.01	S28° 50' 15.42"W
L6	50.64	N61° 24' 01.43"W
L7	44.78	S01° 12' 30.67"W
L8	16.32	S7° 52' 44.93"E
L9	47.21	S77° 41' 59.97"E
L10	20.01	S10° 33' 04.20"W
L11	34.00	N77° 42' 04.50"W
L12	87.54	S09° 31' 58.76"W
L13	47.91	N39° 20' 33.91"W
L14	49.43	S64° 01' 46.09"W

SWM Easement #2 Line Table

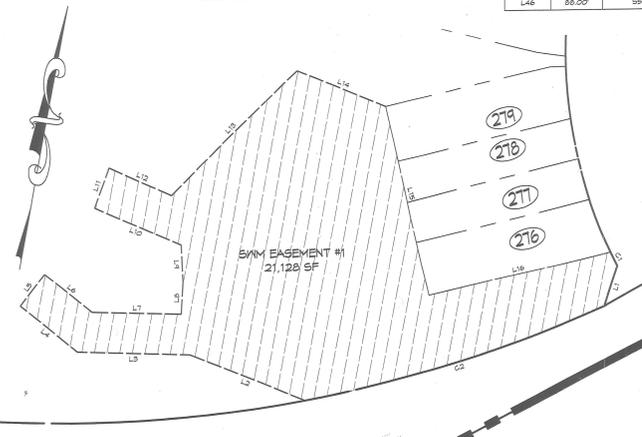
Line #	Length	Direction
L17	10.41	N49° 27' 12.81"W
L18	7.00	N44° 32' 41.14"E
L19	47.89	N47° 41' 29.14"E
L20	66.22	N74° 41' 01.94"E
L21	7.00	S59° 51' 30.13"E
L22	84.48	S74° 41' 01.94"W
L23	52.83	S47° 43' 51.25"W

SWM Easement #2 Curve Table

Curve #	Length	Radius	Chord Direction	Chord Length	Delta Angle	Tangent
C2	24.39	27.50	N44° 28' 24"E	23.54	80° 40' 59"	10.02
C4	30.82	34.50	S41° 28' 54"W	29.55	50° 40' 59"	16.34

SWM Easement # Curve Table

Curve #	Length	Radius	Chord Direction	Chord Length	Delta Angle	Tangent
C1	7.60	234.00	N37° 27' 54"W	7.60	178° 54'	3.80
C2	151.22	644.87	N62° 15' 04"E	156.84	19° 11' 40"	74.00



SWM Easement #2
1,056 SF



PAI # 01-0584

DEVELOPMENT PLAN AND PLAN TO ACCOMPANY ZONING PETITIONS SWM EASEMENTS

PATAPSCO GLEN

7726 JOHNNYCAKE ROAD
1ST ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE (IN FEET)
1 inch = 30 feet

Colbert Matz Rosenfelt, Inc.
Engineers • Surveyors • Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

NO. DATE REVISIONS: BY SHEET 8 OF 8

SCALE: 1" = 30'
DATE: OCTOBER 27, 2015
JOB NO.: 2015-231
DESIGNED: SR / TJB
CHECKED: RM
FILE: 2015231-BASE-NEW
DRAWING NUMBER: DEV-8

N:\Projects\2015\01-0584\01-0584-PAI\01-0584-PAI.dwg (Current) 10/27/2015 10:10:39 AM

DEVELOPMENT PLAN AND PLAN TO ACCOMPANY ZONING PETITIONS
SWM EASEMENTS
PATAPSCO GLEN
7726 JOHNNYCAKE ROAD
1ST ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE (IN FEET)
1 inch = 30 ft.

PAI # 01-0584

Colbert Matz Rosestiel, Inc.
Engineers & Surveyors & Planners
2835 Smith Avenue, Suite C
Baltimore, Maryland 21208
(410) 653-7833

PROFESSIONAL CERTIFICATION
I hereby certify that these documents were prepared or supervised by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
License No. 10033 Expiration Date: 11/03/18
Colbert Matz Rosestiel, Inc.
Professional Engineer
No. 10033

NO. DATE REVISIONS
BY SHEET 8 OF 8
DRAWING NUMBER DEV-8
CHECKED BY
DATE: OCTOBER 22, 2015
SCALE: 1" = 30'

SWM Easement #1 Line Table

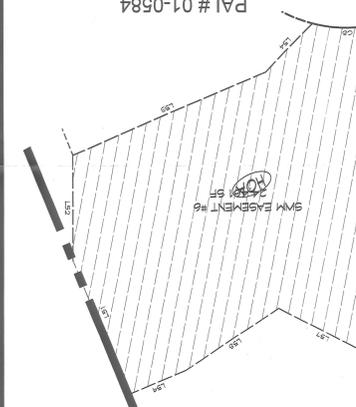
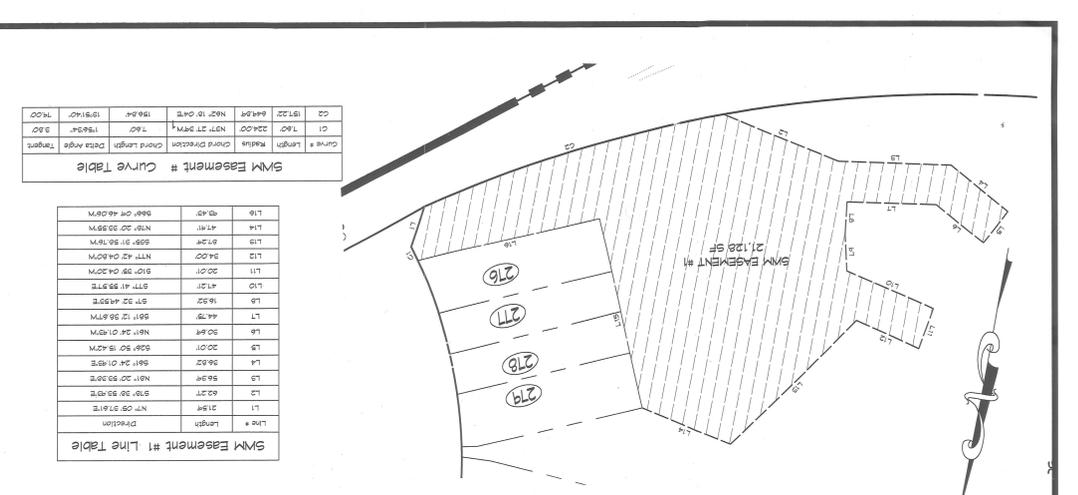
Line #	Length	Direction
L1	11.94	N 75° 57' 18" E
L2	63.27	S 78° 39' 59" E
L3	56.94	N 81° 20' 30" E
L4	36.82	N 81° 20' 30" E
L5	20.07	N 81° 20' 30" E
L6	30.07	N 81° 20' 30" E
L7	44.79	S 71° 32' 49" E
L8	16.32	S 71° 32' 49" E
L9	34.00	N 77° 04' 50" W
L10	20.07	N 77° 04' 50" W
L11	20.07	N 77° 04' 50" W
L12	34.00	N 77° 04' 50" W
L13	61.07	N 77° 04' 50" W
L14	61.07	N 77° 04' 50" W
L15	61.07	N 77° 04' 50" W
L16	45.43	S 88° 04' 48" W

SWM Easement #2 Curve Table

Curve #	Length	Radius	Chord Length	Chord Angle	Delta Angle	Target
C1	24.52	215.0	N 47° 23' 18" E	25.64	30° 00' 00" W	18.00
C2	50.52	345.0	S 47° 23' 18" W	25.64	30° 00' 00" E	18.00

SWM Easement #2 Line Table

Line #	Length	Direction
L17	10.88	N 47° 23' 18" E
L18	7.00	N 47° 23' 18" E
L19	47.83	N 47° 23' 18" E
L20	47.83	N 47° 23' 18" E
L21	66.22	N 47° 23' 18" E
L22	47.83	N 47° 23' 18" E
L23	7.00	N 47° 23' 18" E
L24	10.88	N 47° 23' 18" E
L25	10.88	N 47° 23' 18" E
L26	10.88	N 47° 23' 18" E
L27	10.88	N 47° 23' 18" E
L28	10.88	N 47° 23' 18" E
L29	10.88	N 47° 23' 18" E
L30	10.88	N 47° 23' 18" E
L31	10.88	N 47° 23' 18" E
L32	10.88	N 47° 23' 18" E
L33	10.88	N 47° 23' 18" E
L34	10.88	N 47° 23' 18" E
L35	10.88	N 47° 23' 18" E
L36	10.88	N 47° 23' 18" E
L37	10.88	N 47° 23' 18" E
L38	10.88	N 47° 23' 18" E
L39	10.88	N 47° 23' 18" E
L40	10.88	N 47° 23' 18" E
L41	10.88	N 47° 23' 18" E
L42	10.88	N 47° 23' 18" E
L43	10.88	N 47° 23' 18" E
L44	10.88	N 47° 23' 18" E
L45	10.88	N 47° 23' 18" E
L46	10.88	N 47° 23' 18" E
L47	10.88	N 47° 23' 18" E
L48	10.88	N 47° 23' 18" E
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L50	10.88	N 47° 23' 18" E
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L52	10.88	N 47° 23' 18" E
L53	10.88	N 47° 23' 18" E
L54	10.88	N 47° 23' 18" E
L55	10.88	N 47° 23' 18" E
L56	10.88	N 47° 23' 18" E
L57	10.88	N 47° 23' 18" E
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L62	10.88	N 47° 23' 18" E
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L64	10.88	N 47° 23' 18" E
L65	10.88	N 47° 23' 18" E
L66	10.88	N 47° 23' 18" E
L67	10.88	N 47° 23' 18" E
L68	10.88	N 47° 23' 18" E
L69	10.88	N 47° 23' 18" E
L70	10.88	N 47° 23' 18" E
L71	10.88	N 47° 23' 18" E
L72	10.88	N 47° 23' 18" E
L73	10.88	N 47° 23' 18" E
L74	10.88	N 47° 23' 18" E
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L76	10.88	N 47° 23' 18" E
L77	10.88	N 47° 23' 18" E
L78	10.88	N 47° 23' 18" E
L79	10.88	N 47° 23' 18" E
L80	10.88	N 47° 23' 18" E
L81	10.88	N 47° 23' 18" E
L82	10.88	N 47° 23' 18" E
L83	10.88	N 47° 23' 18" E
L84	10.88	N 47° 23' 18" E
L85	10.88	N 47° 23' 18" E
L86	10.88	N 47° 23' 18" E
L87	10.88	N 47° 23' 18" E
L88	10.88	N 47° 23' 18" E
L89	10.88	N 47° 23' 18" E
L90	10.88	N 47° 23' 18" E
L91	10.88	N 47° 23' 18" E
L92	10.88	N 47° 23' 18" E
L93	10.88	N 47° 23' 18" E
L94	10.88	N 47° 23' 18" E
L95	10.88	N 47° 23' 18" E
L96	10.88	N 47° 23' 18" E
L97	10.88	N 47° 23' 18" E
L98	10.88	N 47° 23' 18" E
L99	10.88	N 47° 23' 18" E
L100	10.88	N 47° 23' 18" E

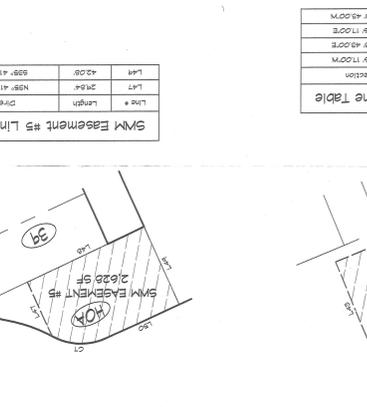


SWM Easement #6 Curve Table

Curve #	Length	Radius	Chord Length	Chord Angle	Delta Angle	Target
C1	39.07	67.00	N 70° 40' 32" E	34.84	30° 00' 00" W	11.94
C2	39.07	67.00	N 70° 40' 32" W	34.84	30° 00' 00" E	11.94

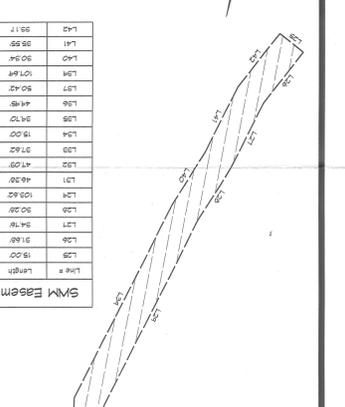
SWM Easement #6 Line Table

Line #	Length	Direction
L1	31.07	S 89° 59' 43.89" W
L2	58.24	S 47° 07' 18" W
L3	7.00	N 47° 23' 18" E
L4	66.22	N 47° 23' 18" E
L5	47.83	N 47° 23' 18" E
L6	7.00	N 47° 23' 18" E
L7	10.88	N 47° 23' 18" E
L8	10.88	N 47° 23' 18" E
L9	10.88	N 47° 23' 18" E
L10	10.88	N 47° 23' 18" E



SWM Easement #5 Line Table

Line #	Length	Direction
L1	2.96	N 81° 17' 00" W
L2	4.23	S 88° 41' 17.00" E

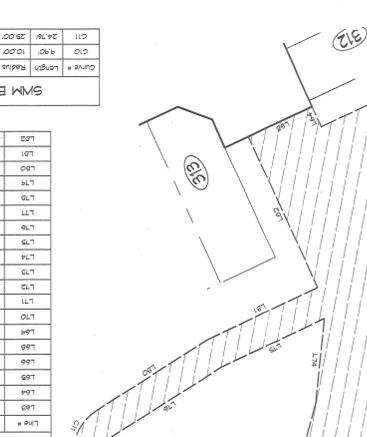


SWM Easement #7 Curve Table

Curve #	Length	Radius	Chord Length	Chord Angle	Delta Angle	Target
C1	67.52	345.00	N 28° 36' 27" W	67.41	111° 46' 33" E	33.37
C2	67.52	345.00	N 28° 36' 27" E	67.41	111° 46' 33" W	33.37

SWM Easement #7 Line Table

Line #	Length	Direction
L1	21.72	S 87° 33' 22.86" E
L2	21.72	S 87° 33' 22.86" E
L3	21.72	S 87° 33' 22.86" E
L4	21.72	S 87° 33' 22.86" E
L5	21.72	S 87° 33' 22.86" E
L6	21.72	S 87° 33' 22.86" E
L7	21.72	S 87° 33' 22.86" E
L8	21.72	S 87° 33' 22.86" E
L9	21.72	S 87° 33' 22.86" E
L10	21.72	S 87° 33' 22.86" E
L11	21.72	S 87° 33' 22.86" E
L12	21.72	S 87° 33' 22.86" E
L13	21.72	S 87° 33' 22.86" E
L14	21.72	S 87° 33' 22.86" E
L15	21.72	S 87° 33' 22.86" E
L16	21.72	S 87° 33' 22.86" E
L17	21.72	S 87° 33' 22.86" E
L18	21.72	S 87° 33' 22.86" E
L19	21.72	S 87° 33' 22.86" E
L20	21.72	S 87° 33' 22.86" E
L21	21.72	S 87° 33' 22.86" E
L22	21.72	S 87° 33' 22.86" E
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L24	21.72	S 87° 33' 22.86" E
L25	21.72	S 87° 33' 22.86" E

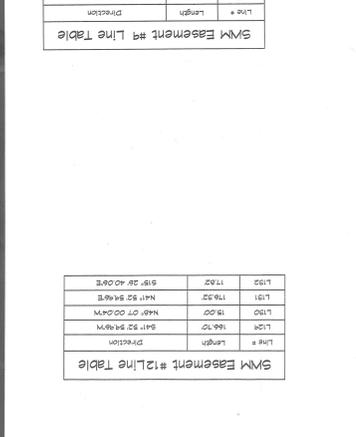
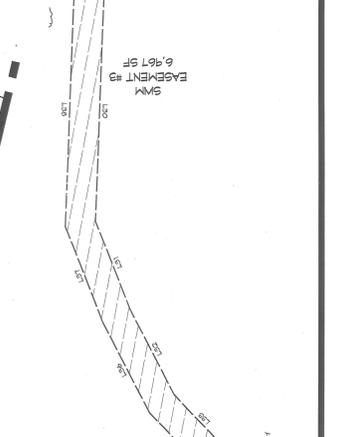


SWM Easement #8 Curve Table

Curve #	Length	Radius	Chord Length	Chord Angle	Delta Angle	Target
C1	4.92	100.00	S 10° 36' 43" W	4.92	84° 40' 17" E	3.42
C2	4.92	100.00	S 10° 36' 43" E	4.92	84° 40' 17" W	3.42

SWM Easement #8 Line Table

Line #	Length	Direction
L1	11.00	N 81° 17' 00" E
L2	33.00	N 81° 17' 00" E
L3	11.00	N 81° 17' 00" E
L4	11.00	N 81° 17' 00" E
L5	11.00	N 81° 17' 00" E
L6	11.00	N 81° 17' 00" E
L7	11.00	N 81° 17' 00" E
L8	11.00	N 81° 17' 00" E
L9	11.00	N 81° 17' 00" E
L10	11.00	N 81° 17' 00" E
L11	11.00	N 81° 17' 00" E
L12	11.00	N 81° 17' 00" E

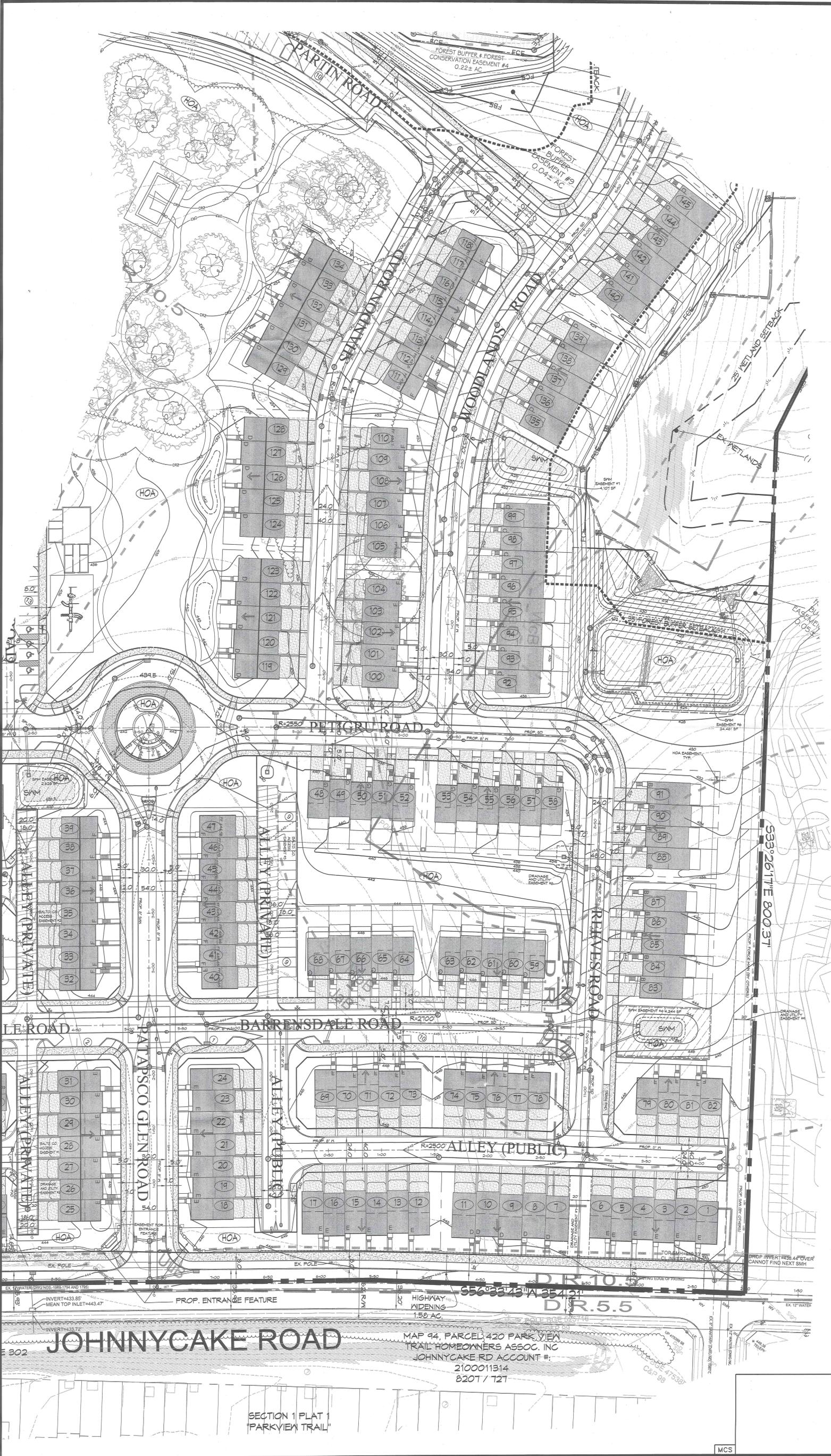


SWM Easement #4 Curve Table

Curve #	Length	Radius	Chord Length	Chord Angle	Delta Angle	Target
C1	17.87	324.00	S 20° 40' 54" E	17.87	69° 19' 06" W	12.99
C2	17.87	324.00	S 20° 40' 54" W	17.87	69° 19' 06" E	12.99

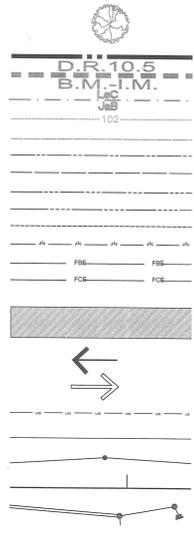
SWM Easement #4 Line Table

Line #	Length	Direction
L1	17.87	S 20° 40' 54" E
L2	17.87	S 20° 40' 54" E
L3	17.87	S 20° 40' 54" E
L4	17.87	S 20° 40' 54" E
L5	17.87	S 20° 40' 54" E
L6	17.87	S 20° 40' 54" E
L7	17.87	S 20° 40' 54" E
L8	17.87	S 20° 40' 54" E
L9	17.87	S 20° 40' 54" E
L10	17.87	S 20° 40' 54" E
L11	17.87	S 20° 40' 54" E
L12	17.87	S 20° 40' 54" E
L13	17.87	S 20° 40' 54" E
L14	17.87	S 20° 40' 54" E
L15	17.87	S 20° 40' 54" E
L16	17.87	S 20° 40' 54" E
L17	17.87	S 20° 40' 54" E
L18	17.87	S 20° 40' 54" E
L19	17.87	S 20° 40' 54" E
L20	17.87	S 20° 40' 54" E
L21	17.87	S 20° 40' 54" E
L22	17.87	S 20° 40' 54" E
L23	17.87	S 20° 40' 54" E
L24	17.87	S 20° 40' 54" E
L25	17.87	S 20° 40' 54" E
L26	17.87	S 20° 40' 54" E
L27	17.87	S 20° 40' 54" E
L28	17.87	S 20° 40' 54" E
L29	17.87	S 20° 40' 54" E
L30	17.87	S 20° 40' 54" E
L31	17.87	S 20° 40' 54" E
L32	17.87	S 20° 40' 54" E
L33	17.87	S 20° 40' 54" E
L34	17.87	S 20° 40' 54" E
L35	17.87	S 20° 40' 54" E
L36	17.87	S 20° 40' 54" E
L37	17.87	S 20° 40' 54" E
L38	17.87	S 20° 40' 54" E
L39	17.87	S 20° 40' 54" E
L40	17.87	S 20° 40' 54" E
L41	17.87	S 20° 40' 54" E
L42	17.87	S 20° 40' 54" E
L43	17.87	S 20° 40' 54" E
L44	17.87	S 20° 40' 54" E
L45	17.87	S 20° 40' 54" E
L46	17.87	S 20° 40' 54" E
L47	17.87	S 20° 40' 54" E
L48	17.87	S 20° 40' 54" E
L49	17.87	S 20° 40' 54" E
L50	17.87	S 20° 40' 54" E
L51	17.87	S 20° 40' 54" E
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L58	17.87	S 20° 40' 54" E
L59	17.87	S 20° 40' 54" E
L60	17.87	S 20° 40' 54" E
L61	17.87	S 20° 40' 54" E
L62	17.87	S 20° 40' 54" E
L63	17.87	S 20° 40' 54" E
L64	17.87	S 20° 40' 54" E
L65	17.87	S 20° 40' 54" E
L66	17.87	S 20° 40' 54" E
L67	17.87	S 20° 40' 54" E
L68	17.87	S 20° 40' 54" E
L69	17.87	S 20° 40' 54" E
L70	17.87	S 20° 40' 54" E
L71	17.87	S 20° 40' 54" E
L72	17.87	S 20° 40' 54" E
L73	17.87	S 20° 40' 54" E
L74	17.87	S 20° 40' 54" E
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L76	17.87	S 20° 40' 54" E
L77	17.87	S 20° 40' 54" E
L78	17.87	S 20° 40' 54" E
L79		



LEGEND:

- SPECIMEN TREE
- PROPERTY LINE
- ZONING BOUNDARY
- SOILS BOUNDARY
- EXISTING CONTOURS
- EXISTING EDGE OF PAVING
- EXISTING SANITARY
- EXISTING WATER
- EXISTING STORM DRAIN
- EXISTING CONDUIT
- EXISTING GAS
- EXISTING WETLANDS
- FOREST BUFFER EASEMENT
- FOREST BUFFER AND CONSERVATION EASEMENT
- 25% OR GREATER SLOPES
- DIRECTION OF VEHICULAR TRAFFIC
- DENOTES FRONT OF BUILDING
- LIMITS OF DISTURBANCE
- PROPOSED CONTOURS
- PROPOSED SAN SEWER
- PROPOSED WATER MAIN
- PROPOSED STORM DRAIN



PAI # 01-0584
DEVELOPMENT PLAN AND PLAN TO ACCOMPANY ZONING PETITIONS
PATAPSCO GLEN
 7726 JOHNNYCAKE ROAD
 1ST ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT
 BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE (IN FEET)
 1 inch = 30 ft.

Colbert Matz Rosenfelt, Inc.
 Engineers + Surveyors + Planners
 2835 Smith Avenue, Suite G
 Baltimore, Maryland 21209
 Telephone: (410) 653-3838
 Facsimile: (410) 653-7953

Professional Certification
 I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
 License No. 13203 Expiration Date: 11/02/16

SCALE: 1" = 30'
 DATE: OCTOBER 27, 2015
 JOB NO.: 2013-231
 DESIGNED: SR / TLB
 DRAWN: SR / TLB
 CHECKED: REM
 FILE: 2013-BASE-NEW
 DRAWING NUMBER: DEV-5

NO. DATE REVISIONS: BY SHEET 5 OF 8

JOHNNYCAKE ROAD

MAP 94, PARCEL 420 PARK VIEW TRAIL HOMEOWNERS ASSOC. INC JOHNNYCAKE RD ACCOUNT #:
 2100011314
 8207 / 127

SECTION 1 PLAT 1 'PARKVIEW TRAIL'

MCS

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LEGEND:

- SPECIMEN TREE
- PROPERTY LINE
- ZONING BOUNDARY
- SOILS BOUNDARY
- EXISTING CONTOURS
- EXISTING EDGE OF PAVING
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- PROPOSED SAN SEWER
- PROPOSED WATER MAIN
- PROPOSED STORM DRAIN

D.R. 10.5
B.M. - I.M.
102

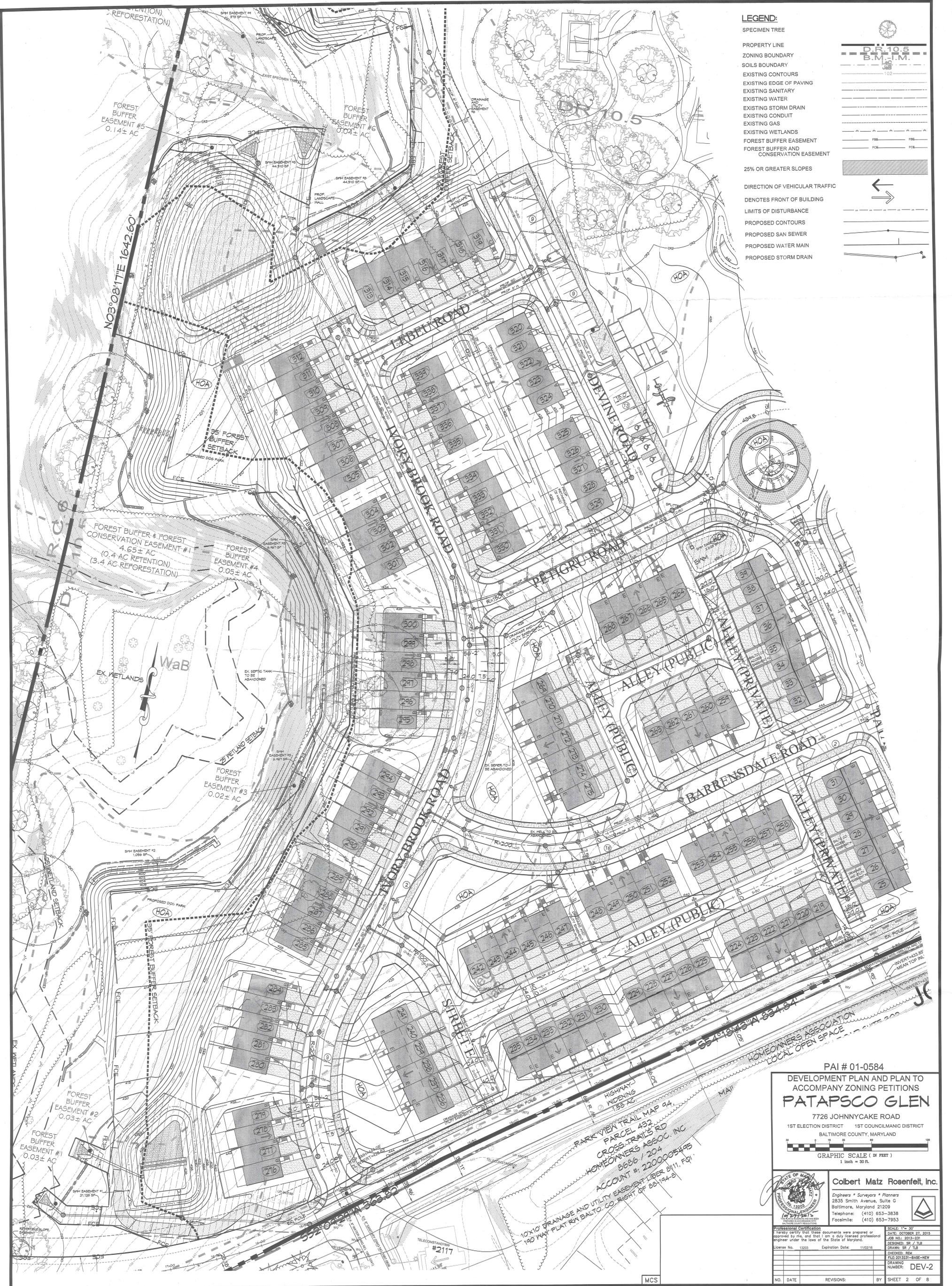
PAI # 01-0584
DEVELOPMENT PLAN AND PLAN TO ACCOMPANY ZONING PETITIONS
PATAPSCO GLEN
 7726 JOHNNYCAKE ROAD
 1ST ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT
 BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE (IN FEET)
1 inch = 30 ft.

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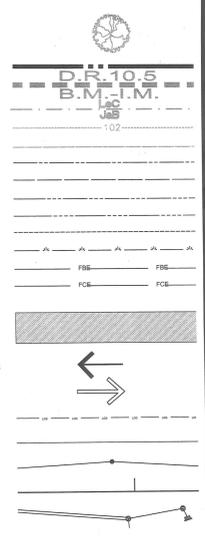
Professional Certification	SCALE: 1" = 30'
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.	DATE: OCTOBER 27, 2015
License No. 13203	Expiration Date: 11/02/16
CHECKED: RM	DESIGNED: SR / TLB
FILE: 2013231-BASE-NEW	DRAWING NUMBER: DEV-4

NO.	DATE	REVISIONS:	BY	SHEET 4 OF 8
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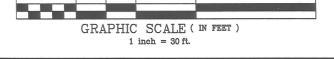
LEGEND:

- SPECIMEN TREE
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- SOILS BOUNDARY
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- EXISTING EDGE OF PAVING
- EXISTING SANITARY
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- PROPOSED SAN SEWER
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- PROPOSED STORM DRAIN



PAI # 01-0584
DEVELOPMENT PLAN AND PLAN TO
ACCOMPANY ZONING PETITIONS
PATAPSCO GLEN

7726 JOHNNYCAKE ROAD
 1ST ELECTION DISTRICT 1ST COUNCILMANNIC DISTRICT
 BALTIMORE COUNTY, MARYLAND



Colbert Matz Rosenfelt, Inc.
 Engineers * Surveyors * Planners
 2835 Smith Avenue, Suite G
 Baltimore, Maryland 21209
 Telephone: (410) 653-3938
 Facsimile: (410) 653-7953

Professional Certification	SCALE: 1" = 30'
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.	DATE: OCTOBER 27, 2015
License No. 13035	Expiration Date: 11/02/16
PROJECT: PATAPSCO GLEN	DRAWING: SR / TB
CHECKED: RHM	FILE: 2015231-BASE-NEW
DRAWING NUMBER:	DEV-2

NO.	DATE	REVISIONS:	BY	SHEET 2 OF 8
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