



JOHN A. OLSZEWSKI, JR.  
*County Executive*

MAUREEN E. MURPHY  
Chief Administrative Law Judge  
ANDREW M. BELT  
Administrative Law Judge  
DEREK J. BAUMGARDNER  
Administrative Law Judge

May 20, 2024

Adam Rosenblatt, Esquire – [amrosenblatt@venable.com](mailto:amrosenblatt@venable.com)  
Venable, LLP  
210 W. Chesapeake Avenue, Suite 500  
Towson, MD 21204

Christopher DeCarlo, Esquire – [cdecarlo@whitefordlaw.com](mailto:cdecarlo@whitefordlaw.com)  
John Gontrum, - Esquire – [jgontrum@whitefordlaw.com](mailto:jgontrum@whitefordlaw.com)  
Whiteford Taylor and Preston, LLP  
One West Pennsylvania Avenue, Suite 300  
Towson, MD 21204

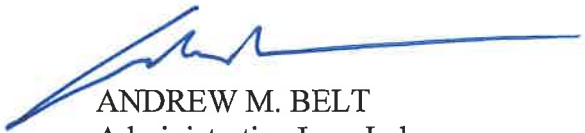
RE: Petition for Special Hearing  
Case No. 2023-0104-SPH  
Property: Esther Ann Way

Dear Counsel:

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

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,



ANDREW M. BELT  
Administrative Law Judge  
for Baltimore County

AMB:dlm  
Enclosure  
c: *See Next Page*

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Esther Ann Way

Case No: 2023-0104-SPH

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Howard Brown – [howard@davidsbrown.com](mailto:howard@davidsbrown.com)

Stephen Warfield – [steve.warfield@matisswarfield.com](mailto:steve.warfield@matisswarfield.com)

Russ Newcomb – [russ@matisswarfield.com](mailto:russ@matisswarfield.com)

Skip Antonucci – [skip@davisbrown.com](mailto:skip@davisbrown.com)

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Keisha McClain- [keishamcclain7@gmail.com](mailto:keishamcclain7@gmail.com)

|                                            |   |                               |
|--------------------------------------------|---|-------------------------------|
| IN RE: <b>PETITION FOR SPECIAL HEARING</b> | * | BEFORE THE                    |
| <b>(Esther Ann Way)</b>                    |   |                               |
| 4 <sup>th</sup> Election District          | * | OFFICE OF                     |
| 4 <sup>th</sup> Council District           |   |                               |
| Valley of David Partnership                | * | ADMINISTRATIVE HEARINGS       |
| <i>Legal Owner</i>                         |   |                               |
|                                            | * | FOR BALTIMORE COUNTY          |
| <b>Petitioner</b>                          | * | <b>Case No: 2023-0104-SPH</b> |

\* \* \* \* \*

### **OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Special Hearing filed by Valley of David Partnership (“Petitioner”) for the property located at Esther Ann Way, Reisterstown (the Property”). The Special Hearing was filed from the Baltimore County Zoning Regulations (“BCZR”) § 500.7, to remove Parcel A from the Valley of David FDP and CRG plans for future subdivision and construction of three single-family homes on a Parcel A. Also, for such other and further relief as the Administrative Law Judge (“ALJ”) may require.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing on May 13, 2024. The Petition was properly advertised and posted. David Adler appeared on behalf of the Petition. Adam M. Rosenblatt of Venable, LLP represented the Petitioner. Christopher DeCarlo from Whiteford, Taylor and Preston represented Protestants Jameel McClain, Keisha McClain, Angela Hamlin, Antonio Hamlin and Tony Amphay.

Stephen Warfield of Matis Warfield also attended on behalf of the Petitioner. The Site Plan he prepared and sealed was admitted as Petitioner’s Exhibit 1. He was accepted as an expert in engineering, site planning, and the Baltimore County Zoning Regulations (“BCZR”).

Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Environmental Protection Sustainability (“DEPS”) which indicated that the

Petitioner must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands, Floodplains and to comply with the Forest Conservation Regulations, and the comment of the Zoning Advisory Committee meeting of March 11, 2024, which is attached. In addition, a ZAC comment was received from the Department of Planning (“DOP”). They did not oppose the requested relief.

The property is approximately 23.51/63.65 acres and is zoned RC 4. Mr. Warfield testified that CRG and FDP plans were approved for the Valley of David development in 1993. (Pet. Ex 5 & 6) Mr. Warfield explained that the FDP contained 8 lots which have now been developed, and an additional “Parcel A” which is noted on the CRG Plan as “To be retained by the developer.” (Pet. Ex 5) The plans also reflect that the development possesses 12.7 density units in total. Mr. Warfield explains that the Parcel A has been sold and the Petitioner proposes to amend the FDP and CRG plans to remove parcel A and eventually build 3 three single family dwellings upon it. He noted that the necessary density units were available for such development. (Pet. Ex. 12)

Not officially part of the Valley of David development, but adjacent to the portion of Parcel A where future development is proposed, is the Nicodemus Ridge Development, where the homes of the all Protestants are located. Mr. Warfield explained that this 4-home development was granted a private road easement from its developer in 2018. This private road is only access to the Nicodemus Ridge development and was used solely by the residents of the 4 homes when the houses were constructed *circa* 2019. (Pet. Ex. 8). It was noted by Mr. Warfield that this easement contained the following language regarding amendments:

15. **Amendment.** Notwithstanding any foregoing provision in this Declaration, the Declarant, and any assignee in writing of such right, shall have the right, power and authority to amend, modify, revise or change any of the terms or provisions of this Declaration for a period of twenty (20) years from the date of recordation of this Declaration and in order to accomplish

any such amendment, each Lot Owner and any lienholder(s) of any Lot Owner's property (other than a lienholder of property owned by Declarant) hereby appoint Declarant or its written assignee as their power of attorney to execute any such amendment. **THIS SPECIAL POWER OF ATTORNEY SHALL BE IRREVOCABLE AND COUPLED WITH AN INTEREST.** In addition to Declarant's amendment rights in this Section 15, after all Lots have been conveyed to an Owner other than Declarant, this Declaration may be amended by an instrument executed by all Owners. Any amendment to this Declaration must be duly recorded among the Land Records of Baltimore County, Maryland. Notwithstanding the foregoing, any amendment to this Declaration shall require the prior written consent of a Builder while Builder owns any of the Lots, and such consent shall not to be unreasonably withheld.

Mr. Warfield testified that in 2023, this easement was amended to include use of the private road by the approximately 23.5153 acres of Parcel A. (Pet. Ex. 9) He explained that this private road will be the proposed point of access to the 3 homes to be built on that parcel. He opined that the 3 homes would generate approx. 30 additional trips a day on this road.

Mr. Warfield explained that the 3 homes noted on Pet. Ex. 12 were added to the proposed Amended Development Plan at the suggestion of People's Counsel, but that such development still requires County review through the development plan process. He stressed that the sole relief sought in the case at bar was for the amendment of the Valley of David CRG and FDP plans to reflect the removal of Parcel A.

Keisha McClain testified on behalf of the Protestants. She and her husband have lived in the Nicodemus Ridge development since 2021. Ms. McClain has been a real estate agent for 17 years. She described her decision to buy in this development being based on the presumption that it would be a privately gated community with only 4 homes. (A private gate did not ultimately become part of the development) She explained that she was told by her developer that the surrounding woods could not be developed. Ms. McClain confirmed that she was aware when she purchased her home of the 2018 easement for the private road, but had no notice of the 2023 amendment that extended the roads use to Parcel A. Ms. McClain also explained that she was particularly disturbed when in 2022 construction crews arrived and began the clearing of several

trees directly across from her home. (Prot. Ex. 4a-b ) She described having no notice that such tree removal was to take place and noted that this occurred before the 2023 amendment of the easement. She explained that any development of Parcel A will occur directly across from the front of her house and will negatively affect her property value. (Prot. Ex. 3a-d)

### **AMENDMENT OF DEVELOPMENT PLANS**

BCZR § 1B01.3. Plans and plats.

A. Development plans.

1. Purpose. This paragraph is intended:

- a. To provide for the disclosure of development plans to prospective residents and to protect those who have made decisions based on such plans from inappropriate changes therein . . .

As noted above, the legislative purpose behind the disclosure of development plans is to provide notice to prospective residents as to a development's future plans and to protect them from changes to such plan that may be deemed inappropriate. The rules for providing such notice are encompassed in § 1B01.4 outlined below:

4. Notice in conveyance. Any party who sells an interest in real property within an area covered by an approved partial or final development plan shall attach to the instrument of sale a notice directing the buyer's attention to the plan (including any amendment) and listing the location of the various certified copies which may be publicly inspected (Paragraph 6), together with a listing of the recorded plats covering all portions of the subdivision as a whole. The notice shall also generally apprise the buyer of the rights, requirements and remedies provided under the development plan, those provided under this article and these zoning regulations in general, and those set forth in provisions adopted pursuant to the authority of Section 504, and, to this end, the notice shall be on a form issued by the county and approved by the Office of Law, the Zoning Commissioner, and the Planning Board as being clear and sufficient for the purpose.

BCZR § 1B01.7.b. outlines the process for the amendment of a development plan such as that requested in the case at bar.

- b. Amendment after sale of interest in nearby property or upon demand for hearing. In the case of an amendment not allowed under Subparagraph a, by reason of sale of property within the area, or in case of a demand for hearing by an eligible individual or group, the plans may be amended through special exception procedures, in the manner provided under Section 502 and subject to the following provisions:
  - (1) The amendment must be in accord with the provisions of the Comprehensive Manual of Development Policies and with the specific standards and requirements of this article, as determined by the Department of Planning. The Director, on behalf of the Planning Board, shall notify the Zoning Commissioner accordingly.
  - (2) Only an owner of a lot abutting or lying directly across a street or other right-of-way from the property in question, an owner of a structure on such a lot, or a homes association (as may be defined under the subdivision regulations or under provisions adopted pursuant to the authority of Section 504) having members who own or reside on property lying wholly or partially within 300 feet of the lot in question are eligible to file a demand for hearing.
  - (3) It must be determined in the course of the hearing procedure that the amendment would be consistent with the spirit and intent of the original plan and of this article.

As noted above, such a request for an amendment to a development plan must be adjudicated through a request for Special Hearing. A hearing to request special zoning relief is provided for under BCZR, §500.7, which states as follows:

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). And, "the administrative practice in Baltimore County has been to determine whether the proposed Special Hearing would be compatible with the community and generally consistent with the spirit and intent of the zoning regulations.

BCZR, §1B01.7.b notes that "the plans may be amended through special exception procedures, in the manner provided under Section 502 . . .". While the proposed amendment involves the removal of a parcel rather than further development or a change within the Valley of David Development plan itself, much of this analysis is not germane to the case at bar. Mr. Warfield, recognizing that the BCZR is somewhat ambiguous as to whether the special exception factors found in § 502.1 are applicable to the development plan amendment analysis, in an abundance of caution, opined that all of relevant requirements of BCZR, § 502.1 are satisfied when considering the removal of Parcel A. As to the requirements of BCZR, § 1B01.7.b.1, Mr. Warfield confirmed that the DOP had confirmed that the requested amendment was in accord with the Comprehensive Manual of Development Policies ("CMDP") and the specific standards of Article 1B, and that the department found that the requested relief did not pose any risk to the R.C.4 zoning classification and did not object to the requested amendment. (Pet. Ex. 11) Finally, Mr. Warfield opined that the proposed amendment was consistent with the spirit and intent of the original plan and the BCZR.

#### *Notice*

In keeping with the legislative intent of requiring the disclosures of development plans, I find that the original CRG Plan and FDP clearly depicts that Parcel A was to be retained by the developer. The plan also notes that there are a total of 12.7 density units in the development and



that only 8 dwellings are proposed for construction, leaving additional available density units. Mr. Warfield noted that Parcel A was akin to a possible “phase II” of the development and noted that nothing on either plan signifies that Parcel A would be prohibited from being developed in the future.

It is clear that Nicodemus Ridge is not part of the Valley of David Development and notice provisions for amendments to Valley of David Development do not extend to the residents of Nicodemus Ridge. While Nicodemus Ridge was not constructed until *circa* 2019, it does appear on the relevant plans as a neighboring development. Counsel for the Protestants argues that Nicodemus Ridge residents have recourse to object to amendments to neighboring development plans that may affect their developments. Assuming that the code’s notice provisions encompass such residents, the evidence reflects that Parcel A was identified on the prior relevant plans along with available density calculations. While the Protestants raise the valid point that their private road was never included in these plans as an access road for Parcel A, the 2018 private road easement which was recorded in the land records of Baltimore County clearly includes language that allows for the amendment of this easement to include other parties. Such clear language provides notice that the use of the private road by Nicodemus Ridge residents would not be perpetually exclusive.

While the Petitioner has included 3 dwellings on their proposed revised FDP, the particulars as to this possible future development’s compliance with County development regulations are not at issue in this hearing. In regards to the proposed amendment to the CRG and FDP plan, Mr. Warfield’s expert testimony as to Petitioner’s compliance with the requirements of BCZR § 1B01.7.b is uncontroverted. Notwithstanding this fact, the concerns articulated by Ms. McClain are well-founded due to her extreme proximity to Parcel A and the possible future

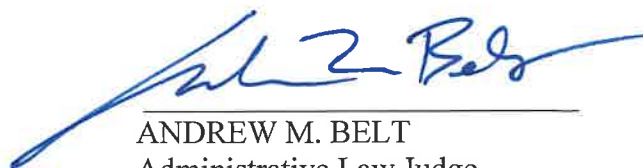
development of this parcel. These concerns include the additional traffic generated on the private road, the loss of the wooded buffer directory across from her home and the potential detrimental effect to her home's property value. While these concerns are not without merit, I do not find it inconsistent with the spirit and intent of the of the original plan or the BCZR to remove Parcel A from the original Valley of David CRG and FDP plans. Whether such a parcel can be developed as intended by the Petitioner is subject to future review and comment by the relevant County agencies. Consequently, the Petitioner's request for Special Hearing is GRANTED.

IT IS THEREFORE, ORDERED this 20<sup>th</sup> day of **May, 2024** by this Administrative Law Judge, that the Petition for Special Hearing under BCZR § 500.7 to remove Parcel A from the valley of David FDP and CRG plans for future subdivision and construction of three single-family homes on a Parcel A, be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
- Petitioner must comply with the DEPS ZAC comments, copies of which are attached hereto and made a part hereof.

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



ANDREW M. BELT  
Administrative Law Judge  
for Baltimore County

AMB/dlm



# 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 Esther Ann Way which is presently zoned RC 4  
Deed References: 9055/489 10 Digit Tax Account # 2 2 0 0 0 1 1 9 3 7  
Property Owner(s) Printed Name(s) VALLEY OF DAVID PARTNERSHIP C/O DAVID S BROWN ENTERPRISES

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

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

1. X a Special Hearing (SEE ATTACHED)

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

3. \_\_\_\_\_ a Variance from Section(s) 400.3 to permit a 17-foot tall addition to an existing 17-foot tall accessory structure (garage/library).

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

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

## Contract Purchaser/Lessee:

N/A  
Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

## Attorney for Petitioner:

Adam M. Rosenblatt  
Name- Type or Print

Signature

210 W. Penn. Ave, Suite 500 Towson MD  
Mailing Address City State

21204 / 410-494-6271 / amrosenblatt@venable.com  
Zip Code Telephone # Email Address

## Legal Owners (Petitioners):

SEE ATTACHED

Name #1 - Type or Print Name #2 - Type or Print

Signature #1 Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

## Representative to be contacted:

Adam M. Rosenblatt  
Name - Type or Print

Signature

210 W. Penn. Ave, Suite 500 Towson MD  
Mailing Address City State

21204 / 410-494-6271 / amrosenblatt@venable.  
Zip Code Telephone # Email Address

CASE NUMBER 2023-0104-SPH Filing Date 2/28/2024 Do Not Schedule Dates: \_\_\_\_\_ Reviewer msk

\* Revised

REV. 10/4/11

## **VALLEY OF DAVID – PARCEL A**

### **REVISED ATTACHMENT TO PETITION FOR SPECIAL HEARING**

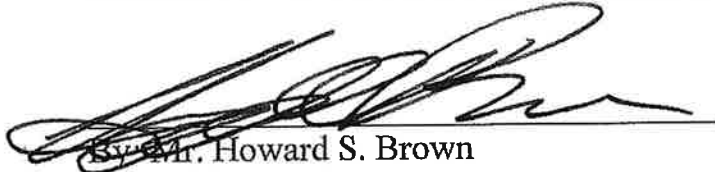
1. Special Hearing to amend the Valley of David FDP and to remove Parcel A from the Valley of David FDP and CRG plans for future subdivision and construction of three (3) single family homes on Parcel A.
2. Also, for such further relief as the Administrative Law Judge may require.

2023-0104-514

**VALLEY OF DAVID – PARCEL A**  
**ATTACHMENT TO PETITION FOR SPECIAL HEARING**

**Property Owner and Legal Owner:**

**VALLEY OF DAVID PARTNERSHIP  
C/O DAVID S BROWN ENTERPRISES**

A handwritten signature in black ink, appearing to read 'Howard S. Brown', is written over a horizontal line.

By: Mr. Howard S. Brown  
100 Painters Mills Road – Suite 900  
P.O. Box 548  
Owings Mills, Maryland 21117

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS**  
**ZONING REVIEW OFFICE**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/ neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.\*

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2023-0104-SPH  
Property Address: Esther Ann Way (Valley of David)  
South Side of Nicodemus Road, 331 ft South of  
Centerline of Nicodemus Road (West of Clarks Lane)  
Legal Owners (Petitioners): Valley of David Partnership c/o David S. Brown Enterprises  
Contract Purchaser/Lessee: N/A

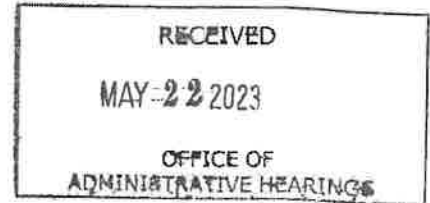
PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Adam Lornbluth  
Address: 210 West Pennsylvania Ave, Suite 500  
Towson MD 21204  
Telephone Number: 410-494-6271

\*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge  
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and  
Sustainability (EPS) - Development Coordination

DATE: May 19, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0104-SPH  
Address: Esther Ann Way  
Legal Owner: Valley of David Partnership

Zoning Advisory Committee Meeting of May 22, 2023.

- X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:
- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
  - X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

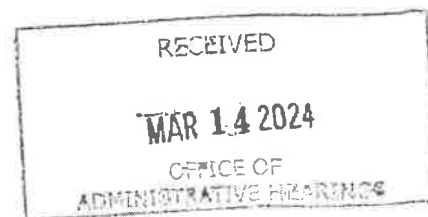
Additional Comments:

Development of Parcel A must fully comply with the regulations indicated above. This will require, at a minimum, Environmental Impact Review (EIR) approval of a forest stand delineation, forest retention investigation report, and forest conservation plan with ultimate recordation of a Forest Conservation Easement and its Declaration of Protective Covenants. Any development layout on Parcel A must honor the Forest Buffer Easement and its 35-foot setback.

Reviewer: Glenn Shaffer

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge  
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and  
Sustainability (EPS) - Development Coordination

DATE: March 6, 2024

SUBJECT: DEPS Comment for Zoning Item # 2023-0104-SPH  
Address: ESTHER ANN WAY  
Legal Owner: Valley of David Partnership

Zoning Advisory Committee Meeting of March 11, 2024.

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

1. If zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:
  - a. An approved perc application that meets all GWM policy and regulations.

Additional Comments:

Reviewer: Rochelle V. Underwood



# CERTIFICATE OF POSTING

**2023-0104-SPH**

**RE: Case No.:** \_\_\_\_\_ **REVISED**

**Petitioner/Developer:** \_\_\_\_\_

## Valley of David Partnership

**April 11, 2024**

**Date of Hearing/Closing:** \_\_\_\_\_

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

**Attn: Jeff Perlow:**

**Ladies and Gentlemen:**

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

**Esther Ann Way** ***SIGN 1A & 1B***

**March 21, 2024**

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

**Sincerely,**

 **March 21, 2024**  
\_\_\_\_\_  
(Signature of Sign Poster)      (Date)

**SSG Robert Black**

**(Print Name)**

**1508 Leslie Road**

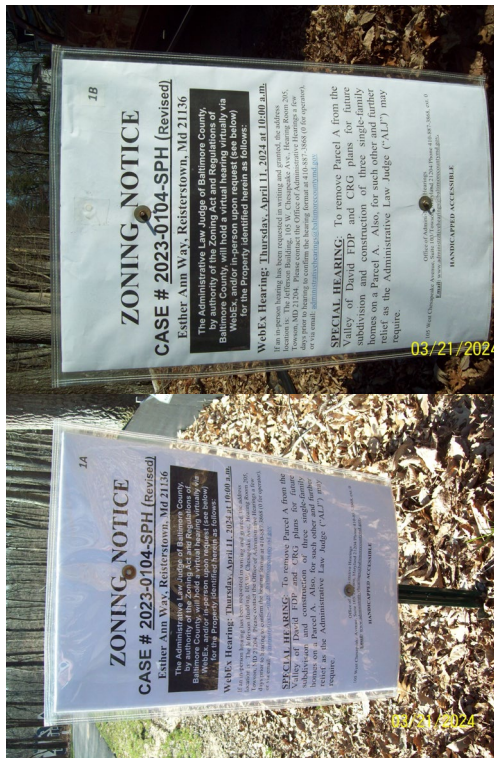
**(Address)**

**Dundalk, Maryland 21222**

**(City, State, Zip Code)**

**(410) 282-7940**

**(Telephone Number)**



# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE MEMORANDUM

**TO:** C. Pete Gutwald  
Director, Department of Permits, Approvals and Inspections

**DATE:** 3/13/2024

**FROM:** Steve Lafferty  
Director, Department of Planning

**SUBJECT:** ZONING ADVISORY COMMITTEE COMMENTS  
Case Number: 2023-0104-SPH REVISED PETITION

**INFORMATION:**

**Property Address:** Esther Ann Way  
**Petitioner:** Valley of David Partnership c/o David S Brown Enterprise  
**Zoning:** RC 4  
**Requested Action:** Special Hearing

The Department of Planning has reviewed the petition for the following:

Special Hearing -

1. To amend the Valley of David FDP and to remove Parcel A from the Valley of David FDP and CRG plans for future subdivision and construction of 3 single family homes on Parcel A.
2. Also, for such further relief as the Administrative Law Judge may require.

The property is surrounded by forest, including rural residential neighborhoods. In light of these circumstances, the applicant seeks to remove Parcel A from the Valley of David FDP and CRG plans. The subject property is located along Nicodemus Road in the Reisterstown area of Baltimore County.

The Department finds that the requested relief does not pose any risk to the R.C.4 zoning classification and does not have any objections to the request.

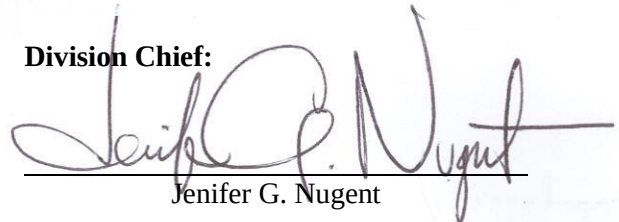
For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

**Prepared by:**



Krystle Patchak

**Division Chief:**



Jenifer G. Nugent

SL/JGN/KP

c: Adam M. Rosenblatt  
Joseph Wiley, Megan Benjamin and Abigail Rogers, Community Planners  
Ngone Seye Diop, Community Planning Division Chief  
Jeff Perlow, Zoning Review

Kristen Lewis, Zoning Review  
Office of Administrative Hearings  
People's Counsel for Baltimore County

## BALTIMORE COUNTY, MARYLAND

### Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge  
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and  
Sustainability (EPS) - Development Coordination

DATE: March 12, 2024

SUBJECT: DEPS Comment for Zoning Item # 2023-0104-SPH  
Address: ESTHER ANN WAY  
Legal Owner: Valley of David Partnership

Zoning Advisory Committee Meeting of March 11, 2024.

- X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:
- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

#### Additional Comments:

Development of Parcel A must fully comply with the regulations indicated above. This will require, at a minimum, Environmental Impact Review (EIR) approval of a forest stand delineation, forest retention investigation report, and forest conservation plan with ultimate recordation of a Forest Conservation Easement and its Declaration of Protective Covenants. Additionally, any development layout on Parcel A must honor the Forest Buffer Easement and its 35-foot setback, which shall be delineated in accordance with Section 33-3-111 of the Water Quality Regulations and recorded with its Declaration of Protective Covenants.

Reviewer: Glenn Shaffer

## BALTIMORE COUNTY, MARYLAND

### Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge  
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and  
Sustainability (EPS) - Development Coordination

DATE: March 6, 2024

SUBJECT: DEPS Comment for Zoning Item # 2023-0104-SPH  
Address: ESTHER ANN WAY  
Legal Owner: Valley of David Partnership

Zoning Advisory Committee Meeting of March 11, 2024.

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

1. If zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:
  - a. An approved perc application that meets all GWM policy and regulations.

Additional Comments:

Reviewer: Rochelle V. Underwood

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

**TO:** Peter Gutwald, Director  
Department of Permits, Approvals

**DATE:** March 8, 2024

**FROM:** Vishnu Desai, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
Case 2023-0104-SPH

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

**DPR:** No comment.

**DPW-T:** No Exception taken.

**Landscaping:** If Special Hearing is granted a Landscape Plan is required per the requirements of the Baltimore County Landscape Manual.

**Recreations & Parks:** Based on Special Hearing, LOS open space requirements will be reviewed and determined. No Greenways affected.

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

**TO:** Peter Gutwald, Director  
Department of Permits, Approvals

**DATE:** June 14, 2023

**FROM:** Vishnu Desai, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For May 22, 2023  
Item No. 2023-0099-A, 0102-SPHA, 0103-SPH, 0104-SPH & 2023-0105-A

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

\*

\*

\*

\*

\*

\*

VKD: JK  
cc: file

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE MEMORANDUM

**TO:** C. Pete Gutwald  
Director, Department of Permits, Approvals and Inspections

**DATE:** 5/23/2023

**FROM:** Steve Lafferty  
Director, Department of Planning

**SUBJECT:** ZONING ADVISORY COMMITTEE COMMENTS  
Case Number: 2023-0104-SPH

**INFORMATION:**

**Property Address:** Esther Ann Way  
**Petitioner:** Valley of David Partnership c/o David S Brown Enterprise  
**Zoning:** RC 4  
**Requested Action:** Special Hearing

The Department of Planning has reviewed the petition for the following:

*Special Hearing –*

1. To remove Parcel A from the Valley of David FDP and CRG plans.
2. Also, for such further relief as the Administrative Law Judge may require.

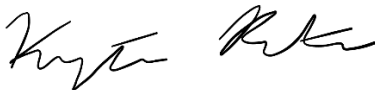
The subject property is located along Nicodemus Road in the Reisterstown area of Baltimore County. The property is surrounded by forest, including rural residential neighborhoods.

In light of these circumstances, the applicant seeks to remove Parcel A from the Valley of David FDP and CRG plans.

The Department finds that the requested relief does not pose any risk to the R.C.4 zoning classification and does not have any objections to the request.

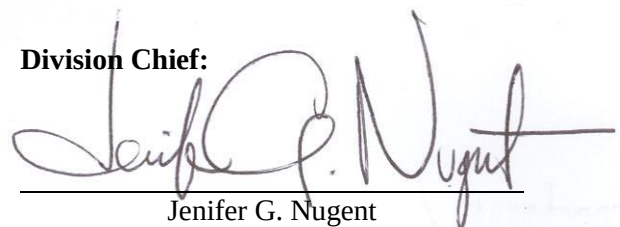
For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

**Prepared by:**



Krystle Patchak

**Division Chief:**



Jenifer G. Nugent

SL/JGN/KP

c: Adam M. Rosenblatt  
Joseph Wiley, Megan Benjamin and Abigail Rogers, Community Planners  
Ngone Seye Diop, Community Planning Division Chief



Jeff Perlow, Zoning Review  
Kristen Lewis, Zoning Review  
Office of Administrative Hearings  
People's Counsel for Baltimore County

## BALTIMORE COUNTY, MARYLAND

### Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge  
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and  
Sustainability (EPS) - Development Coordination

DATE: May 19, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0104-SPH  
Address: Esther Ann Way  
Legal Owner: Valley of David Partnership

Zoning Advisory Committee Meeting of May 22, 2023.

- X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:
- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

#### Additional Comments:

Development of Parcel A must fully comply with the regulations indicated above. This will require, at a minimum, Environmental Impact Review (EIR) approval of a forest stand delineation, forest retention investigation report, and forest conservation plan with ultimate recordation of a Forest Conservation Easement and its Declaration of Protective Covenants. Any development layout on Parcel A must honor the Forest Buffer Easement and its 35-foot setback.

Reviewer: Glenn Shaffer

24-0168 MK

February 27, 2024

Adam M. Rosenblatt

T 410.494.6271

F 410.821.0147

amrosenblatt@Venable.com

Mitchell Kellman, Supervisor  
Zoning Review Office  
County Office Building  
111 West Chesapeake Avenue, Room 111  
Towson, Maryland 21204

Re: **REVISION TO ZONING PETITION**  
Case No. 2023-0104-SPH  
Esther Ann Way – Valley of David

Dear Mr. Kellman,

Petitioner is submitting a revised petition and plan for the above-referenced zoning case. I am attaching three copies of the revised plan and zoning petition as well as a check to cover the cost of the revision. Please circulate this revision so we can get the case scheduled for a hearing.

Thank you very much.

Very truly yours,



Adam M. Rosenblatt

Zoning Case 2023-0104-SPH

Accepted for filing  
2/28/2024

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

No. 229531

Date: 2/28/2024

| Fund | Dept | Unit | Sub Unit | Rev<br>Source/<br>Obj | Sub<br>Rev/<br>Sub Obj | Dept Obj | BS Acct | Amount   |
|------|------|------|----------|-----------------------|------------------------|----------|---------|----------|
| 001  | 806  | 6000 |          | 6150                  |                        |          |         | \$ 250.✓ |
|      |      |      |          |                       |                        |          |         |          |
|      |      |      |          |                       |                        |          |         |          |
|      |      |      |          |                       |                        |          |         |          |
|      |      |      |          |                       |                        |          |         |          |

Total: \$1 250.✓

Rec  
From:

Venable LLP

For:

Revised Zoning Petition and Plan  
Ester Anna Way - Valley of Daul  
Zoning Case 2023-0104-SPH

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S  
VALIDATION

MMK

WHITEFORD, TAYLOR & PRESTON L.L.P.

JOHN B. GONTRUM  
DIRECT LINE (410) 832-2055  
DIRECT FAX (410) 339-4058  
JGontrum@wtplaw.com

TOWSON COMMONS, SUITE 300  
ONE WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-5025  
MAIN TELEPHONE (410) 832-2000  
FACSIMILE (410) 832-2015

BALTIMORE, MD  
BETHANY BEACH, DE\*  
BETHESDA, MD  
COLUMBIA, MD  
DEARBORN, MI  
FALLS CHURCH, VA  
LEXINGTON, KY  
PITTSBURGH, PA  
ROANOKE, VA  
WASHINGTON, DC  
WILMINGTON, DE\*

[WWW.WTPLAW.COM](http://WWW.WTPLAW.COM)  
(800) 987-8705

July 18, 2023

Sent via email - administrativehearings@baltimorecountymd.gov

The Honorable Paul M. Mayhew  
Administrative Law Judge  
Baltimore County Office of Administrative Hearings  
105 W. Chesapeake Avenue  
Jefferson Building  
Suite 103  
Towson, Maryland 21204

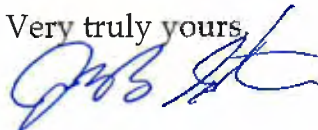
Re: Ester Ann Way  
Case No. 2023-0104-SPH

Dear Judge Mayhew:

Please accept this letter as my entry of appearance in the above-referenced matter on behalf of my clients, Angela Hamlin, Antonio Hamlin, Keisha McClain, Jameel McClain and Tony Amphay. My phone number and address are as stated above.

Thank you for your attention to this matter.

Very truly yours,



John B. Gontrum

JBG:tdm

cc: Adam M. Rosenblatt, Esq.  
People's Counsel  
Angela Hamlin  
Antonio Hamlin  
Keisha McClain  
Jameel McClain  
Tony Amphay

12977308

# CERTIFICATE OF POSTING

2023-0104-SPH

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

Valley of David Partnership, c/o David S. Brown Enterprises

July 11, 2023

Date of Hearing/Closing: \_\_\_\_\_

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

**Esther Ann Way** ***SIGN 1***

June 21, 2023

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



Sincerely,

 June 21, 2023  
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

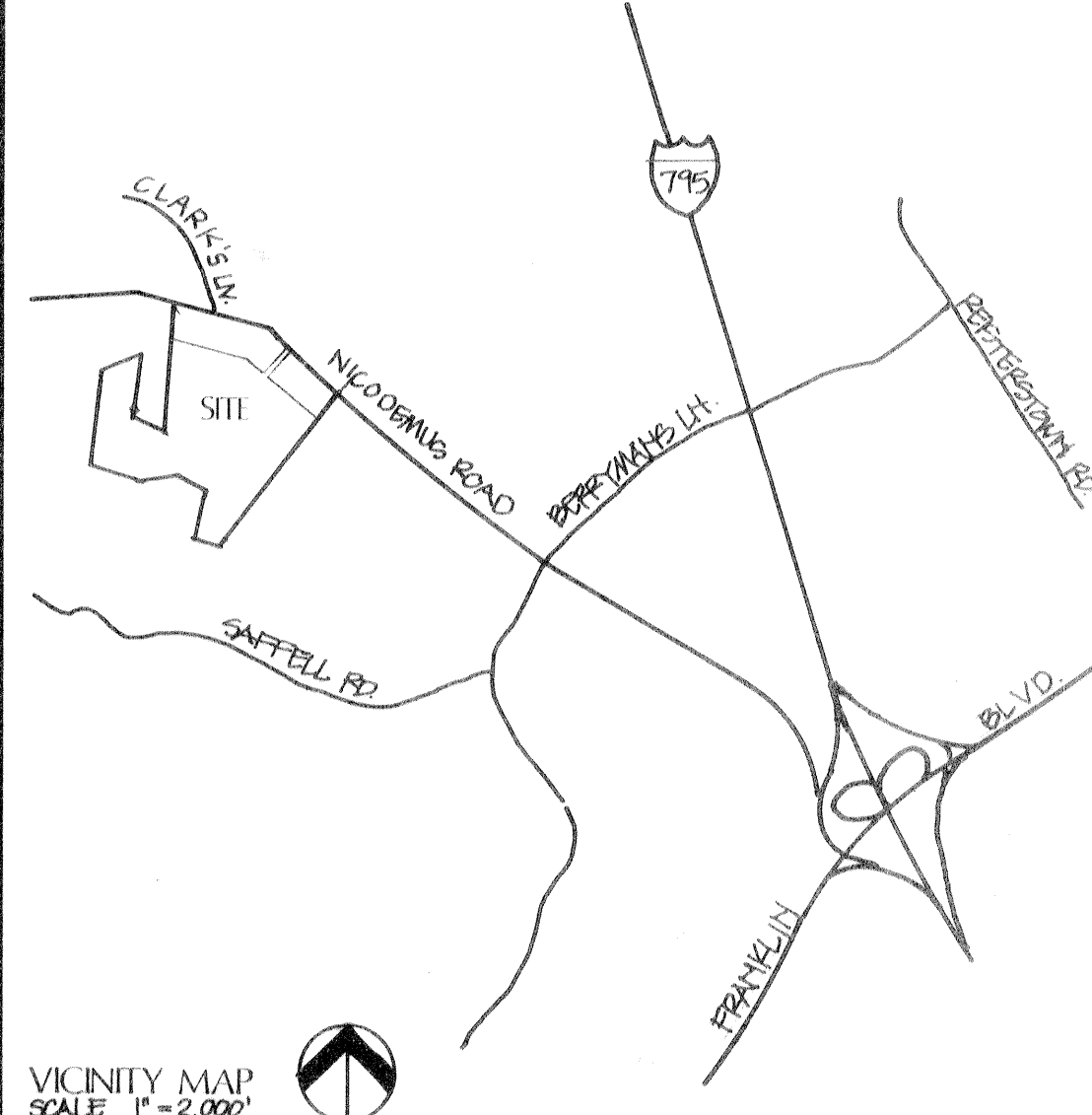
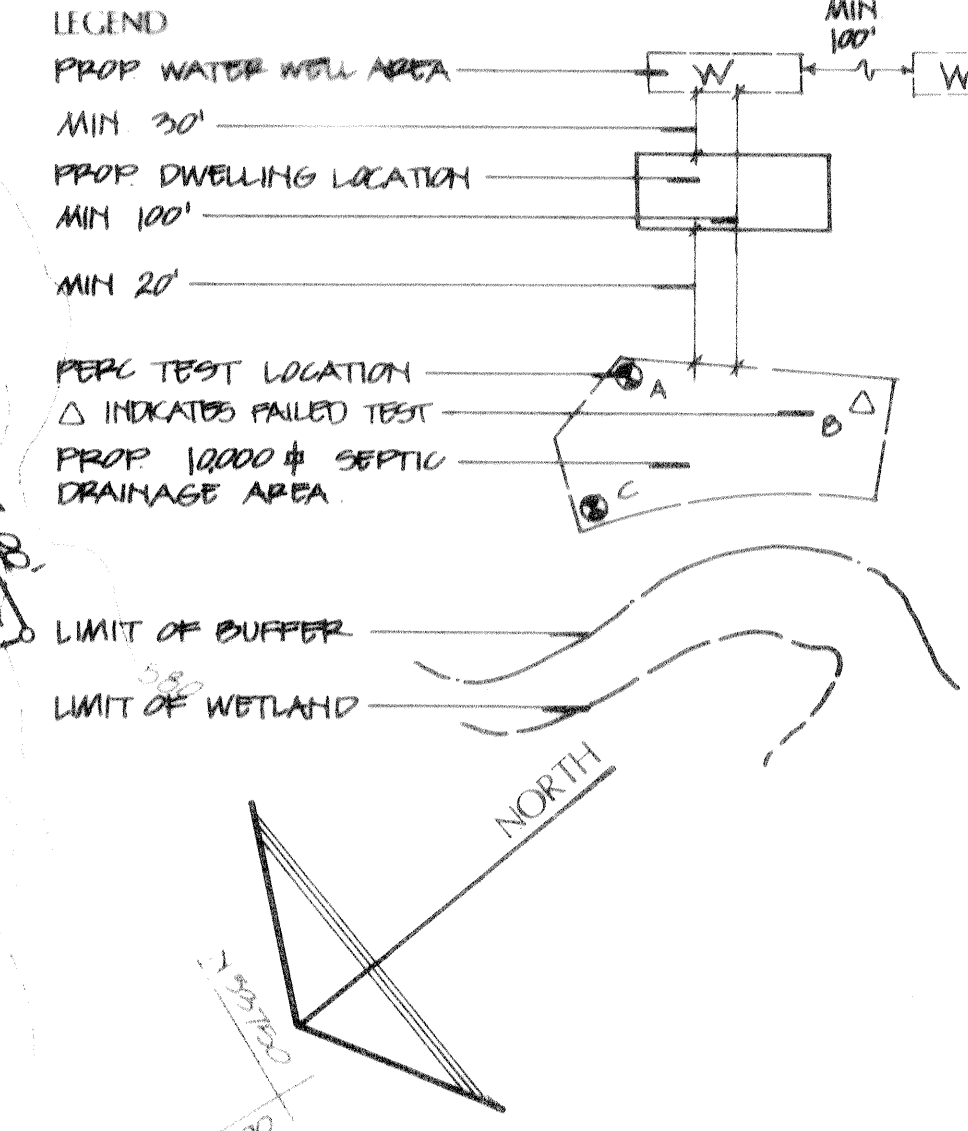
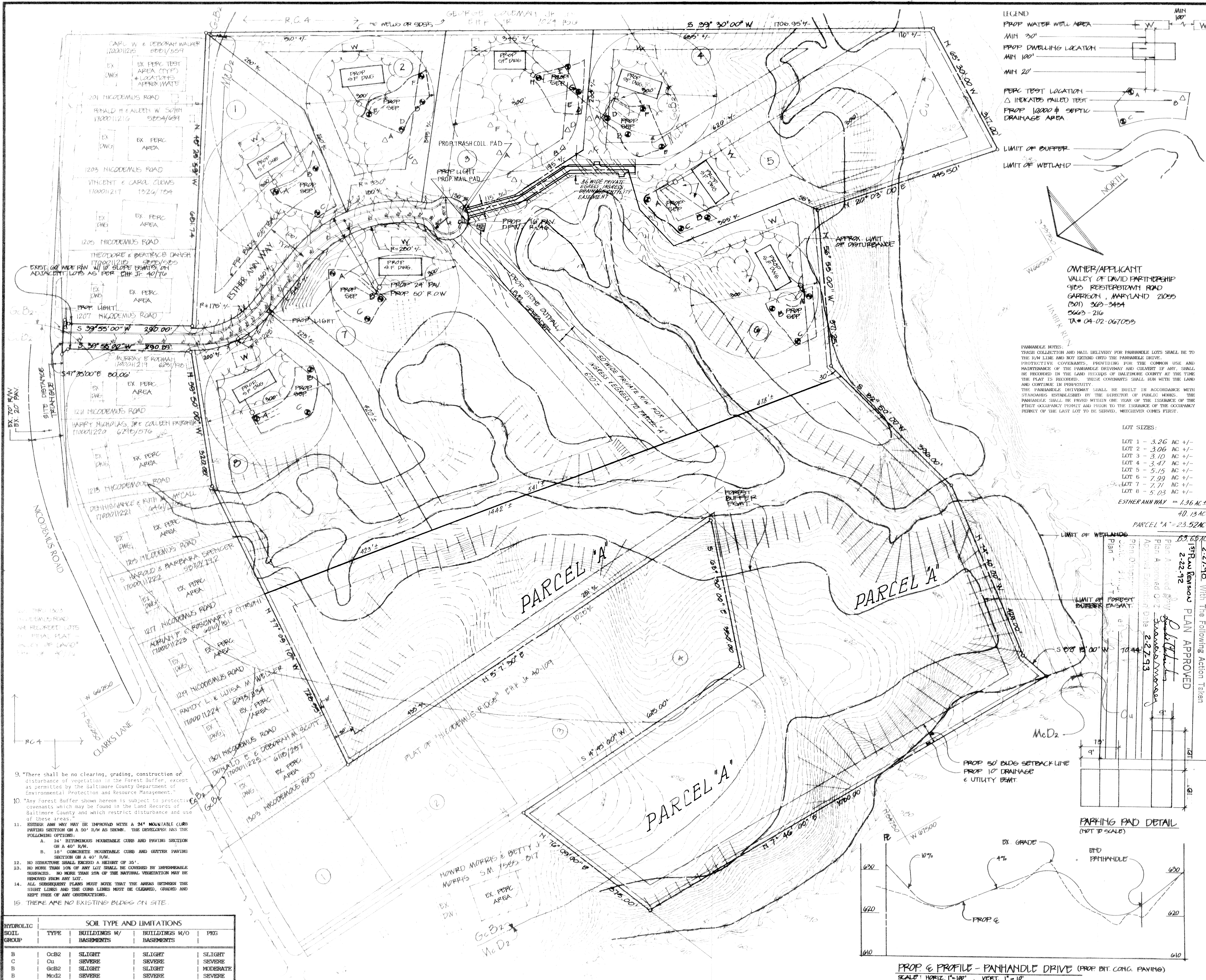
Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





**CRG NOTES**

1. THERE ARE NO CRITICAL AREAS, ARCHEOLOGICAL SITES, HISTORIC BUILDINGS, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON THIS SITE.
2. WETLANDS HAVE BEEN DELINEATED AND FIELD LOCATED. THE STEEP SLOPE ANALYSIS AND FOREST BUFFER HAVE BEEN APPROVED BY D.E.P.R.M.
3. TOPOGRAPHY SHOWN TAKEN FROM AERIAL DATA PROVIDED BY MARYLAND PHOTOGRAMMETRIC ENGINEERING, INC., AND GROUND CONTROL PROVIDED BY KOW CONSULTANTS.
4. PROPOSED GRADES ARE SCHEMATIC AND ARE NOT INTENDED FOR CONSTRUCTION PURPOSES.
5. THERE ARE NO EXISTING SEPTIC AREAS OR WATER WELLS ON SITE.
6. THIS SITE IS ENTIRELY FORESTED. ONLY ENOUGH TREES AND VEGETATION WILL BE REMOVED TO INSTALL PROPOSED ROADS, DRIVEWAYS AND HOUSES.
7. SINCE THIS SITE IS ZONED RC-4, IT IS EXEMPT FROM LANDSCAPE PLANTING REQUIREMENTS AND STORMWATER MANAGEMENT REQUIREMENTS.
8. PANHANDLE LOTS SHALL HAVE A MAINTENANCE AGREEMENT FOR THE PANHANDLE DRIVEWAY.
9. COUNTY SNOW REMOVAL & MAINTENANCE SHALL BE TO THE R/W LINE & NOT EXTEND ONTO THE PANHANDLE DRIVE.

**DENSITY CALCULATIONS**

GROSS SITE AREA.....63.65 AC +/-

EXISTING ZONING.....RC-4

DENSITY ALLOWED (@ 0.2 LOTS/AC).....12.7 LOTS

DENSITY PROPOSED.....06.0 LOTS

ALL UNITS ARE FOR SALE

EXISTING USE.....FOREST (VACANT)

PROPOSED USE.....RESIDENTIAL

PARKING REQUIRED (@ 2 SPACES/LOT).....16 SP

PARKING PROPOSED.....16 SP

ADT'S (@ 12.4 AUT/LOT).....99.2 ADT'S

**PARCEL "A" TO BE RETAINED BY THE DEVELOPER.**

**REVISIONS:**

0-21-90 - SCS

9-14-90 - SCS - AG

PER FFE CRG COMMENTS

9-22-90 - JAN - AS PER CRG #16

12-14-91 - PLAN REFINEMENT

**SCALE: 1"=100'**

**DATE: 3-1-90**

**JOB NO: 0079-01**

**DESIGNED: TJH, SCS**

**DRAWN: SCS**

**CHECKED: TJH**

**DRAWING NUMBER: CRG-1**

**RECEIVED**

**FEB 24 1992**

**OFFICE OF PLANNING AND ZONING**

**BALTIMORE COUNTY, MD**

**REVISED CRG PLAN SECTION 2**

**VALLEY OF DAVID**

**COUNCILMANIC DIST. C3**

**CIRCUS TRACT 4040**

**4 ELECTION DISTRICT**

**WATERSHED 32**

**SUBDIVIDED BY**

**BALTIMORE COUNTY, MD**

**HOFF & ANTONUCCI**

Land Development Consultants and Landscape Architects

P.O. Box 27402  
Towson, MD 21285-4002  
301-628-1225

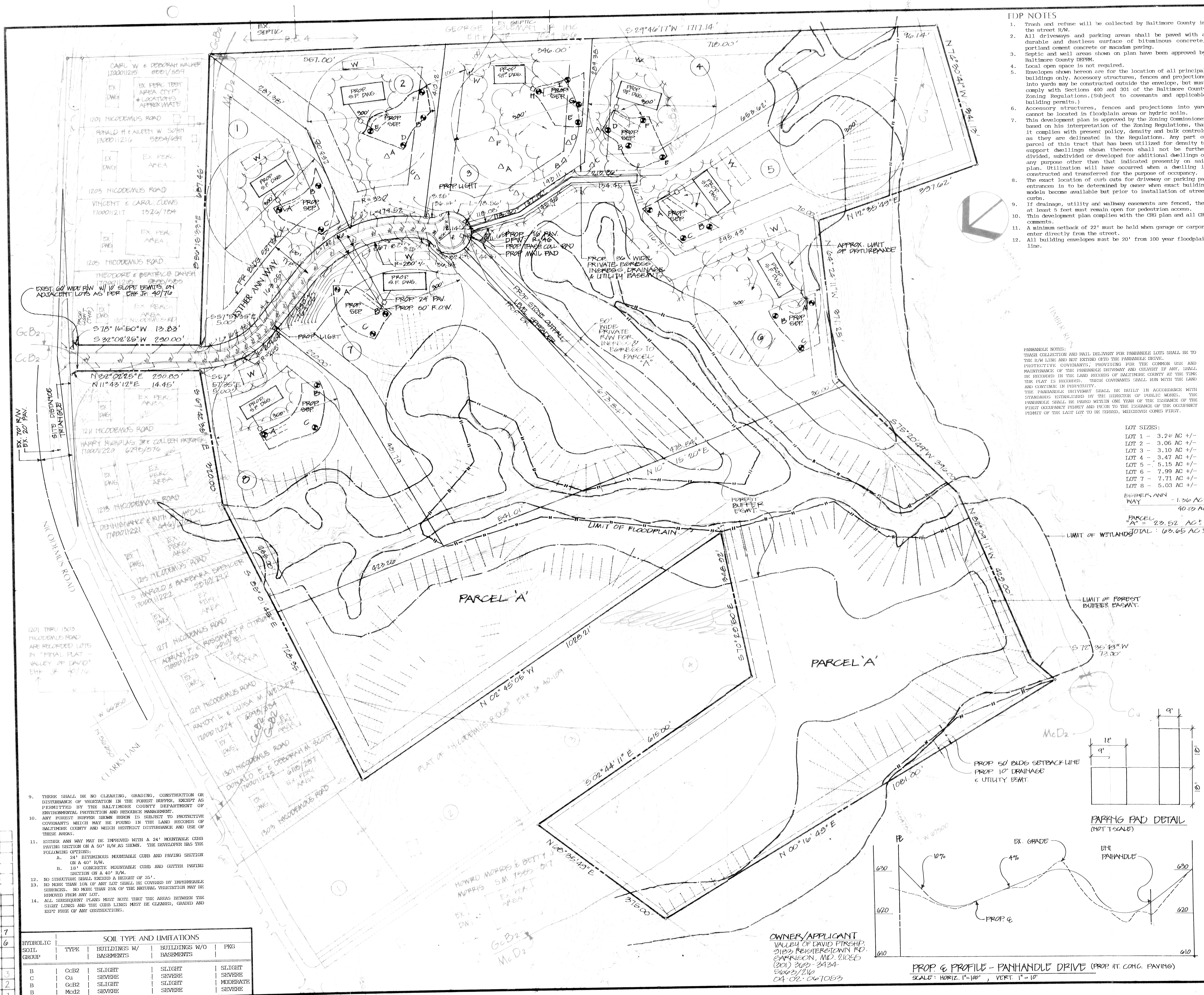
**2/21/91**

**SHEET 1 OF 1**

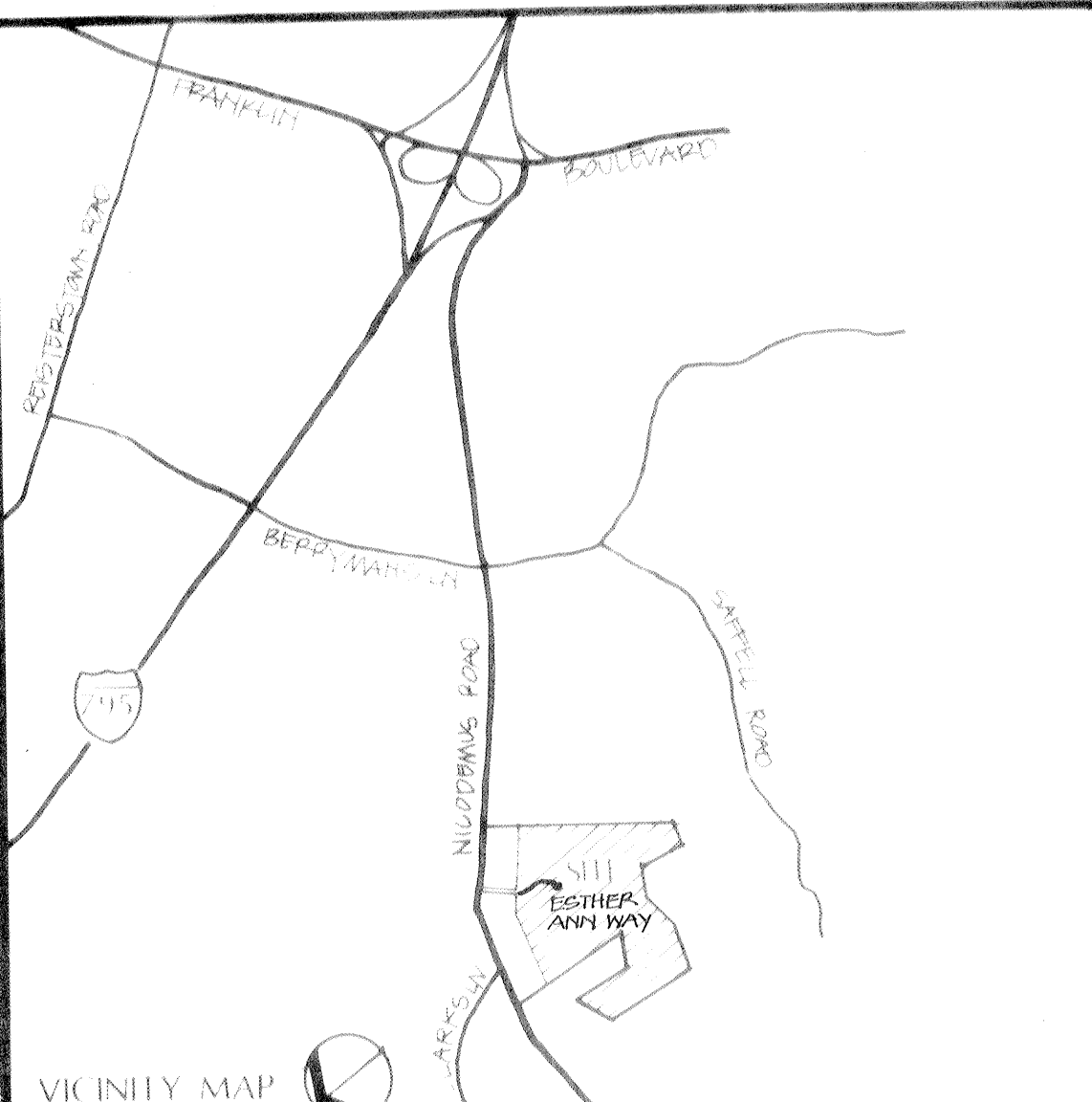
| HYDROLOGIC SOIL GROUP | TYPE | SOIL TYPE AND LIMITATIONS |                         |          |
|-----------------------|------|---------------------------|-------------------------|----------|
|                       |      | BUILDINGS W/ BASEMENTS    | BUILDINGS W/O BASEMENTS | PKG      |
| B                     | CcB2 | SLIGHT                    | SLIGHT                  | SLIGHT   |
| C                     | Cu   | SEVERE                    | SEVERE                  | SEVERE   |
| B                     | CcB2 | SLIGHT                    | SLIGHT                  | MODERATE |
| B                     | CcB2 | SEVERE                    | SEVERE                  | SEVERE   |

9. There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer, except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
10. Any Forest Buffer shown herein 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.
11. ESTHER ANN WAY MAY BE IMPROVED WITH A 24" MOUNTABLE CURB PAVING SECTION ON A 50' R/W AS SHOWN. THE DEVELOPER HAS THE FOLLOWING OPTIONS:
  - A. 24" MOUNTABLE CURB AND PAVING SECTION ON A 40' R/W.
  - B. 18" CONCRETE MOUNTABLE CURB AND GUTTER PAVING SECTION ON A 40' R/W.
12. NO STRUCTURE SHALL EXCEED A HEIGHT OF 35'.
13. NO MORE THAN 10% OF ANY LOT SHALL BE COVERED BY IMPERMEABLE SURFACES. NO MORE THAN 25% OF THE NATURAL VEGETATION MAY BE REMOVED FROM ANY LOT.
14. ALL SUBSEQUENT PLANS MUST NOTE THAT THE AREAS BETWEEN THE SIGHT LINES AND THE CURB LINES MUST BE CLEARED, GRADED AND KEPT FREE OF ANY OBSTRUCTIONS.
15. THERE ARE NO EXISTING BLDGS ON SITE.





- FDP NOTES
1. Trash and refuse will be collected by Baltimore County in the street R/W.
  2. All driveways and parking areas shall be paved with a durable and dustless surface of bituminous concrete, portland cement concrete or macadam paving.
  3. Septic and well areas shown on plan have been approved by Baltimore County DEPM.
  4. Local open space is not required.
  5. Envelopes shown hereon are for the location of all principal buildings only. Accessory structures, fences and projections into yards may be constructed outside the envelope, but must comply with Sections 400 and 301 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building permits.)
  6. Accessory structures, fences and projections into yard cannot be located in floodplain areas or hydric soils.
  7. This development plan is approved by the Zoning Commissioner based on his interpretation of the Zoning Regulations, that it complies with present policy, density and bulk controls as they are delineated in the Regulations. Any part or parcel of this tract that has been utilized for density to support dwellings shown thereon shall not be further divided, subdivided or developed for additional dwellings or any purpose other than that indicated presently on said plan. Utilization will have occurred when a dwelling is constructed and transferred for the purpose of occupancy.
  8. The exact location of curb cuts for driveway or parking pad entrances is to be determined by owner when exact building models become available but prior to installation of street curbs.
  9. If drainage, utility and mailbox easements are fenced, then at least 5 feet must remain open for pedestrian access.
  10. This development plan complies with the CRG plan and all CRG comments.
  11. A minimum setback of 22' must be held when garage or carport enter directly from the street.
  12. All building envelopes must be 20' from 100 year floodplain line.



- NOTES
1. THERE ARE NO CRITICAL AREAS, ARCHEOLOGICAL SITES, HISTORIC BUILDINGS, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON THIS SITE.
  2. WETLANDS HAVE BEEN DELINEATED AND FIELD LOCATED. THE STEEP SLOPE ANALYSIS AND FOREST BUFFER HAVE BEEN APPROVED BY D.E.P.R.M.
  3. TOPOGRAPHY SHOWN TAKEN FROM AERIAL DATA PROVIDED BY MARYLAND PHOTOGRAMMETRIC ENGINEERING, INC., AND GROUND CONTROL PROVIDED BY KOW CONSULTANTS.
  4. PROPOSED GRADES ARE SCHEMATIC AND ARE NOT INTENDED FOR CONSTRUCTION PURPOSES.
  5. THERE ARE NO EXISTING SEPTIC AREAS OR WATER WELLS ON SITE.
  6. THIS SITE IS ENTIRELY FORESTED. ONLY ENOUGH TREES AND VEGETATION WILL BE REMOVED TO INSTALL PROPOSED ROADS, DRIVEWAYS AND HOUSES.
  7. SINCE THIS SITE IS ZONED RC-4, IT IS EXEMPT FROM LANDSCAPE PLANTING REQUIREMENTS AND STORMWATER MANAGEMENT REQUIREMENTS.
  8. PANHANDLE LOTS SHALL HAVE A MAINTENANCE AGREEMENT FOR THE PANHANDLE DRIVEWAY.
- PA. PARCEL 'A' TO BE RETAINED BY DEVELOPER.

DENSITY CALCULATIONS

|                                   |                       |
|-----------------------------------|-----------------------|
| EXISTING ZONING                   | RC-4                  |
| DENSITY ALLOWED (@ 0.2 LOTS/AC)   | 12.7 LOTS             |
| DENSITY PROPOSED                  | 8 LOTS & PARCEL A     |
| TOTAL DENSITY                     | 9 ZONING DENSITY LOTS |
| ALL UNITS ARE FOR SALE            |                       |
| EXISTING USE                      | FOREST (VACANT)       |
| PROPOSED USE                      | RESIDENTIAL           |
| PARKING REQUIRED (@ 2 SPACES/LOT) | 16 SP                 |
| PARKING PROPOSED                  | 16 SP                 |
| ADT'S (@ 12.4 ADT/LOT)            | 99.2 ADT'S            |

OFFICE OF PLANNING AND ZONING  
Approved by:  
*W. Carl Nichols Jr.*  
Director of Planning  
Zoning Commissioner  
Date: 2/14/12

CRG APPROVAL DATE: 9/27/90  
CURRENT PLANNING CRG # IV-142  
PUBLIC SERVICES CRG PLAN # 90367

FINAL DEVELOPMENT PLAN  
SECTION 2  
VALLEY OF DAVID

COUNCILMANIC DIST: C3      WATERSHED: 32  
CENSUS TRACT: 404B      SUBGENEROSED: B1  
4 ELECTION DISTRICT      BALTIMORE COUNTY, MD

HOFF & ANTONUCCI  
Land Development Consultants and Landscape Architects  
P.O. Box 2740  
Towson, MD 21285-2740  
(301) 628-9225

REVISIONS  
1-17-92 PER CD. COMPT'S  
DATE 12-16-91  
1-23-92 COMPT'S JAW

SCALE 1"=100'  
DATE 12-16-91  
JOB NO. 0079-01  
DESIGNED TJH,SGS  
DRAWN JAW  
CHECKED TJH  
DRAWING NUMBER  
FDP-1  
SHEET 1 OF 1

|    |
|----|
| 10 |
| 15 |
| 4  |
| 13 |
| 12 |
| 1  |
| 10 |
| 9  |
| 8  |
| 7  |
| 6  |
| 3  |
| 2  |
| 1  |

| HYDROLOGIC SOIL GROUP | SOIL TYPE AND LIMITATIONS |                        |                         |          |
|-----------------------|---------------------------|------------------------|-------------------------|----------|
|                       | TYPE                      | BUILDINGS W/ BASEMENTS | BUILDINGS W/O BASEMENTS | PKG      |
| B                     | CcB2                      | SLIGHT                 | SLIGHT                  | SLIGHT   |
| C                     | Cu                        | SEVERE                 | SEVERE                  | SEVERE   |
| B                     | CcB2                      | SLIGHT                 | SLIGHT                  | MODERATE |
| B                     | McD2                      | SEVERE                 | SEVERE                  | SEVERE   |

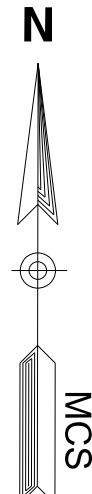
OWNER/APPLICANT  
VALLEY OF DAVID PTHSHP  
21825 REISTERSTOWN RD.  
GARRISON, MD 21055  
(301) 300-2434  
30003/110  
04-02-067053

PROF. E PROFILE - PANHANDLE DRIVE (PROP. AT CONC. PAVING)  
SCALE: HORIZ. 1"=100' , VERT. 1"=10'



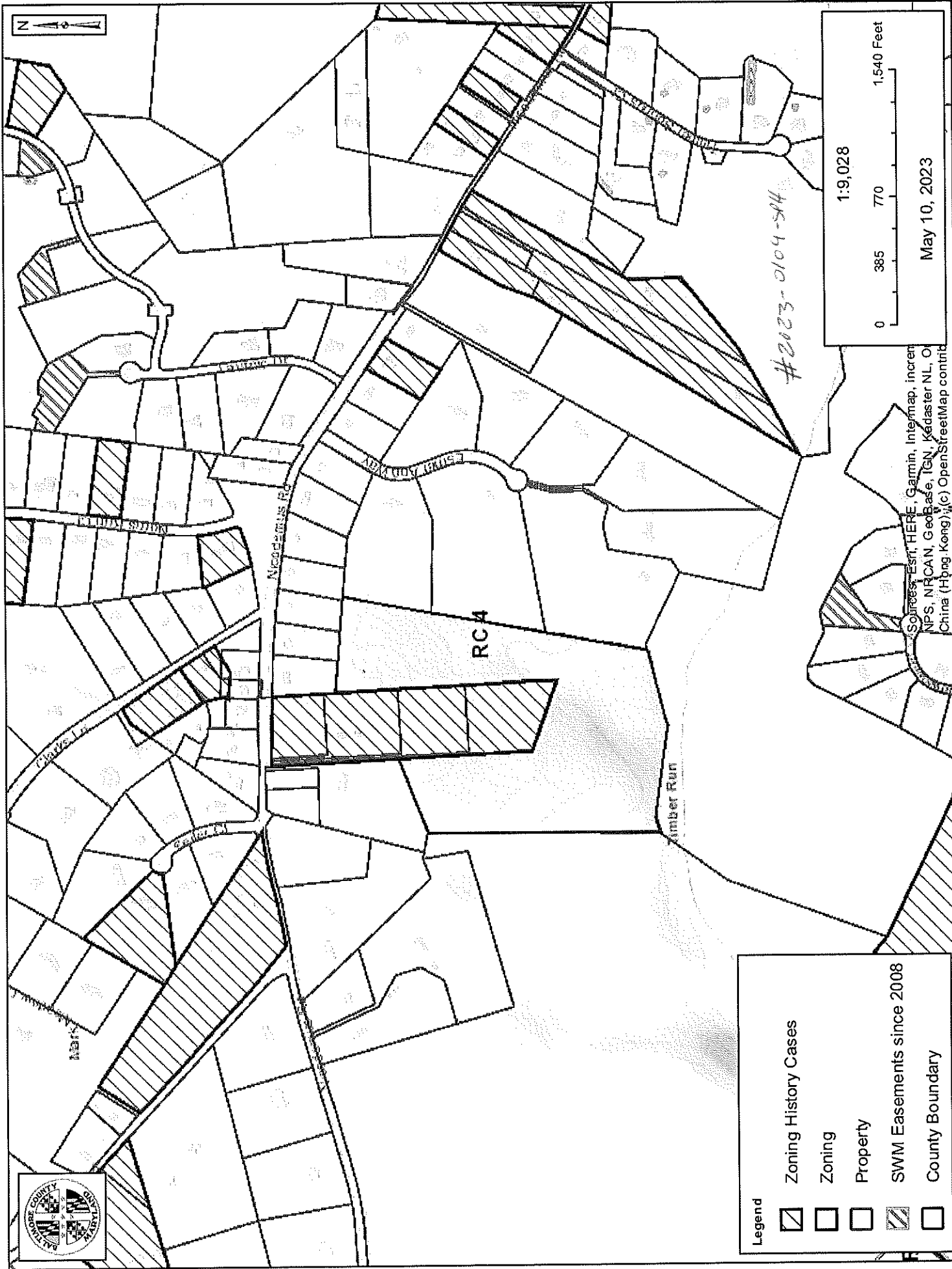






Engineer: **MATIS WARFIELD**  
*Consulting Engineers*  
  
 909 Ridgebrook Road, Suite 100  
 Sparks, MD 21152  
 PHONE 410.683.7004 FAX 410.683.1798  
[www.matiswarfield.com](http://www.matiswarfield.com)

Title



**Legend**

- ☒ Zoning History Cases
- ☐ Zoning
- ☐ Property
- ☒ SWM Easements since 2008
- ☐ County Boundary

1:9,028

0 385 770 1,540 Feet

May 10, 2023

Sources: Est. HERE, Garmin, Intermap, increment PLS, NRCAN, Geobase, IGN, Kadaster NL, OpenStreetMap contributors, Swatch, China (Hong Kong), (c) OpenStreetMap contributors, Baltimore County Government, Carroll County, VITA, Est. HERE, Garmin, INCREMENT P, Intermap, USGS, METANASA, EPA, USDA

Real Property Data Search ( )  
Search Result for BALTIMORE COUNTY

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 04 Account Number - 2200011937

**Owner Information**

Owner Name: VALLEY OF DAVID PARTNERSHIP Use: RESIDENTIAL  
C/O DAVID S BROWN ENTERPRISES Principal Residence: NO  
Mailing Address: PO BOX 548 Deed Reference:  
100 PAINTERS MILL RD STE 900  
OWINGS MILLS MD 21117-4793

**Location & Structure Information**

Premises Address: ESTHER ANN WAY Legal Description: 23.5153 AC PARCELA  
0-0000 VALLEY OF DAVID

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:  
0048 0021 0021 4020017.04 0000 2 2022 Plat Ref: 0064/ 0059

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use  
23.5100 AC 04

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements  
/

**Value Information**

|                    | Base Value | Value<br>As of<br>01/01/2022 | Phase-In Assessments<br>As of<br>07/01/2022 | As of<br>07/01/2023 |
|--------------------|------------|------------------------------|---------------------------------------------|---------------------|
| Land:              | 43,000     | 43,000                       |                                             |                     |
| Improvements       | 0          | 0                            |                                             |                     |
| Total:             | 43,000     | 43,000                       | 43,000                                      | 43,000              |
| Preferential Land: | 0          | 0                            |                                             |                     |

**Transfer Information**

|         |        |        |
|---------|--------|--------|
| Seller: | Date:  | Price: |
| Type:   | Deed1: | Deed2: |
| Seller: | Date:  | Price: |
| Type:   | Deed1: | Deed2: |
| Seller: | Date:  | Price: |
| Type:   | Deed1: | Deed2: |

**Exemption Information**

|                                   |            |            |
|-----------------------------------|------------|------------|
| Partial Exempt Assessments: Class | 07/01/2022 | 07/01/2023 |
| County:                           | 0.00       |            |
| State:                            | 0.00       |            |
| Municipal:                        | 0.00 0.00  | 0.00 0.00  |

Special Tax Recapture: None

**Homestead Application Information**

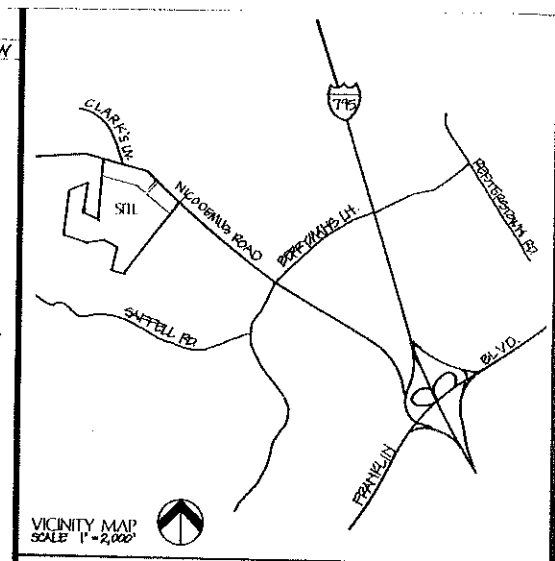
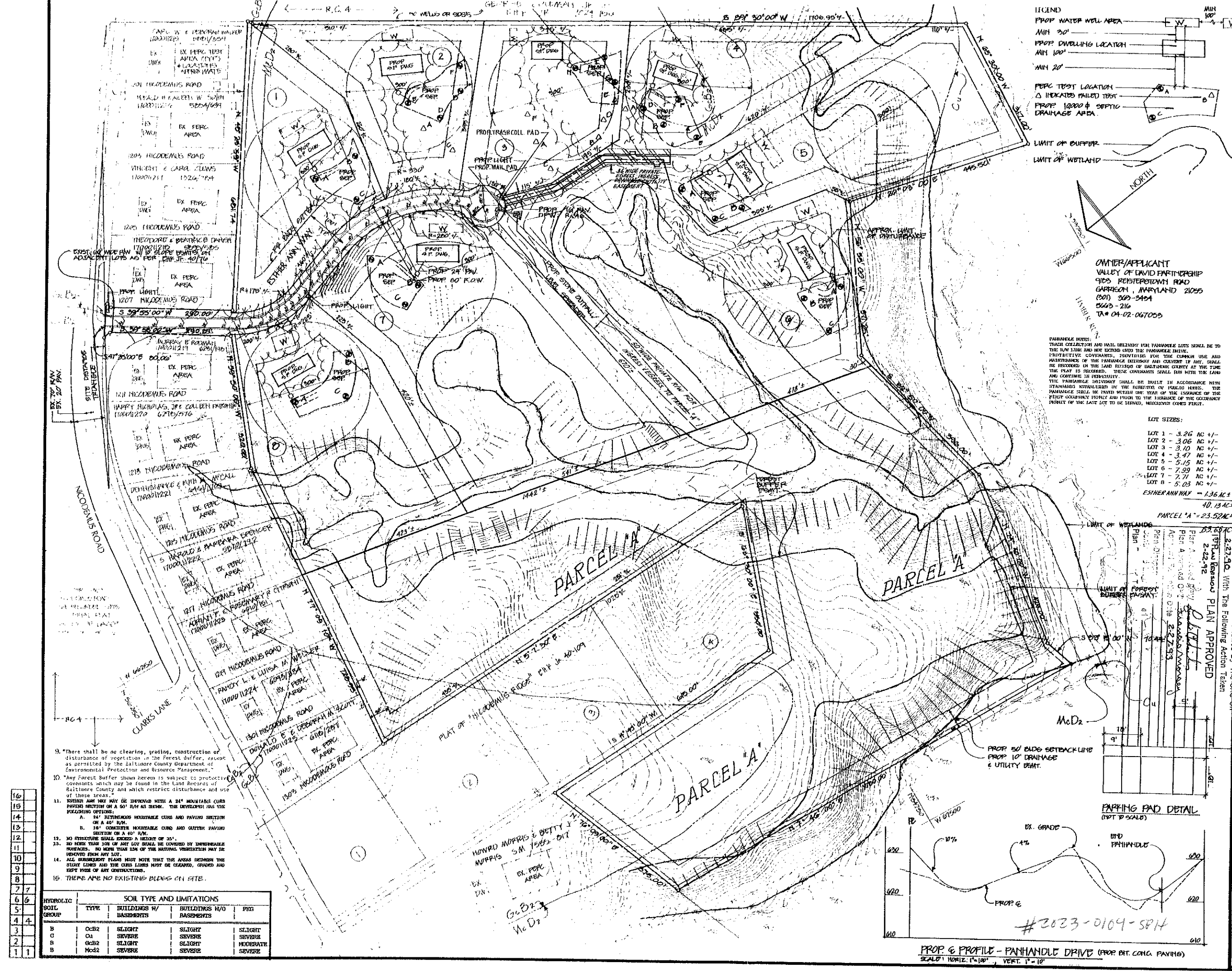
Homestead Application Status: No Application

**Homeowners' Tax Credit Application Information**

Homeowners' Tax Credit Application Status: No Application Date:

# 2023-6104-SH





- CRG NOTES**
1. THERE ARE NO CRITICAL AREAS, ARCHEOLOGICAL SITES, HISTORIC BUILDINGS, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON THIS SITE.
  2. WETLANDS HAVE BEEN DELINEATED AND FIELD LOCATED. THE STEEP SLOPE ANALYSIS AND FOREST BUFFER HAVE BEEN APPROVED BY D.E.P.R.M.
  3. TOPOGRAPHY SHOWN TAKEN FROM AERIAL DATA PROVIDED BY MARYLAND PHOTOGRAMMETRIC ENGINEERING, INC., AND GROUND CONTROL PROVIDED BY KCM CONSULTANTS.
  4. PROPOSED GRADES ARE SCHEMATIC AND ARE NOT INTENDED FOR CONSTRUCTION PURPOSES.
  5. THERE ARE NO EXISTING SEPTIC AREAS OR WATER WELLS ON SITE.
  6. THIS SITE IS ENTIRELY FORESTED. ONLY ENOUGH TREES AND VEGETATION WILL BE REMOVED TO INSTALL PROPOSED ROADS, DRIVEWAYS AND HOUSES.
  7. SINCE THIS SITE IS ZONED RC-4, IT IS EXEMPT FROM LANDSCAPE PLANTING REQUIREMENTS AND STORMWATER MANAGEMENT REQUIREMENTS.
  8. PANHANDLE LOTS SHALL HAVE A MAINTENANCE AGREEMENT FOR THE PANHANDLE DRIVEWAY.
  - 9A. COUNTY SNOW REMOVAL & MAINTENANCE SHALL BE TO THE 1/4" LINE & NOT EXTEND ONTO THE PANHANDLE DRIVE.

**DENSITY CALCULATIONS**

|                               |              |
|-------------------------------|--------------|
| GROSS SITE AREA               | 63.65 AC +/- |
| EXISTING ZONING               | R.C.4        |
| DENSITY ALLOWED (0.2 LOTS/AC) | 12.7 LOTS    |
| DENSITY PROPOSED              | 68.0 LOTS    |
| ALL UNITS ARE FOR SALE        |              |

**EXISTING USE**

|                                   |                 |
|-----------------------------------|-----------------|
| EXISTING USE                      | FOREST (VACANT) |
| PROPOSED USE                      | RESIDENTIAL     |
| PARKING REQUIRED (8.2 SPACES/LOT) | 16 SP           |
| PARKING PROPOSED                  | 16 SP           |
| ADJ. (12.4 ADJ/LOT)               | 99.2 ADJ'S      |

**PARCEL "A" TO BE RETAINED BY THE DEVELOPER.**

NEW CONSULTANTS, INC.  
1777 REISTERSTOWN ROAD, SUITE 115  
BALTIMORE, MARYLAND 21208  
TEL. (410) 484-0894  
ATTN: PETER Mc DONNELL

PRINT DATE: JAN 30 1992

CURRENT PLANNING CRG # IV-142  
PUBLIC SERVICES CRG PLAN # 90367

**REVISED CRG PLAN SECTION 2**

**VALLEY OF DAVID**

COUNCILMANIC DIST. C3 WATERPHEED 02  
CONCOURSE TRACT 4040 SUBDIVIDED BY  
4 ELECTION DISTRICT BALTIMORE COUNTY, MD

**HOFF & ANTONUCCI**

Land Development Consultants and Landscape Architects

**REVISIONS:**

|          |                   |
|----------|-------------------|
| 01-27-90 | - SC5             |
| 01-19-90 | - SC5 - AD        |
| 01-09-90 | - AD PER CRG #142 |
| 12-14-91 | - PLAN REFINEMENT |

**SCALE:** 1" = 100'

**DATE:** 01-19-90

**JOB NO.:** 0079-01

**DESIGNED:** TJH, SC5

**DRAWN:** SC5

**CHECKED:** TJH

**DRAWING NUMBER:** CRG-1

**SHEET 1 OF 1**