

BC 749-06 Joseph, Michael  
VAR

MSA-S-1829-5607

LH  
Comment  
11/17/06  
2 hrs  
9/28-2/28/11

Martin O'Malley  
Governor

Anthony G. Brown  
Lt. Governor



Margaret G. McHale  
Chair

Ren Serey  
Executive Director

STATE OF MARYLAND  
CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS

1804 West Street, Suite 100, Annapolis, Maryland 21401  
(410) 260-3460 Fax: (410) 974-5338  
[www.dnr.state.md.us/criticalarea/](http://www.dnr.state.md.us/criticalarea/)

February 28, 2011

Mr. Thomas Krispin  
Baltimore County DEPRM  
401 Bosley Avenue, Suite 416  
Towson, Maryland 21204

Re: **AFTER THE FACT VARIANCE**  
Joseph Property, 2138 Barrison Point Road

Dear Mr. Krispin:

Thank you for forwarding the above referenced variance request. This lot is 0.46 acres and is located in the Resource Conservation Area (RCA). In 2006, the applicants received approval to develop this lot in accordance with Critical Area development standards. As a condition of the County's approval, the applicants were required to put a Critical Area Easement (CAE) on the remainder of the property that was not being cleared or developed. The applications now seek an after the fact variance to clear in excess of the 30% forest and developed woodland clearing limit, as well as to place structures in the CAE.

Baltimore County cannot issue a permit, approval, variance or special exception until the applicants have:

- a. Fully paid all administrative, civil, and criminal penalties imposed.
- b. Prepared a restoration or mitigation plan, approved by Baltimore County that abates impacts to water quality and natural resources as a result of the violation.
- c. Implemented the abatement measures in accordance with the County's Program.

As stated in my previous letter regarding the violation, given that that applicant has not completed these items, the variance cannot be granted at this time.

Additionally, this office opposes the after the fact request to clear in excess of the forest clearing limit and placing of structures in the CAE. In 2002 and 2004, the General Assembly strengthened the Critical Area Law and reiterated its commitment to the Chesapeake Bay Critical Area's water quality and wildlife habitat values. Specifically, the General Assembly reaffirmed the stringent standards of the law, which an applicant must meet in order for a local jurisdiction to grant a variance to the Critical Area law. The State law provides that variances to a local jurisdiction's Critical Area program may be granted **only** if the County finds that an applicant has satisfied its burden to prove that the applicant meets each one of the county's variance standards, including the standard of "unwarranted hardship." The General Assembly defined

Mr. Thomas Krispin

2/28/2011

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that term as follows: "without the variance, the applicant would be denied reasonable and significant use of the entire parcel or lot." This applicant was authorized to develop this property with a dwelling, garage and driveway in accordance with the County's Critical Area requirements. The request before the County is not required in order for the applicant to have significant and reasonable use of their property. Therefore, this standard can not be met.

Please include this letter in your file and submit it as part of the record for variance. Please notify the Commission of the decision made in this case. I can be reached at 410-260-3476 should you have any questions.

Sincerely,

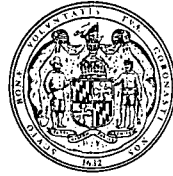
A handwritten signature in black ink, appearing to read 'Julie Roberts', with a long horizontal flourish extending to the right.

Julie Roberts  
Natural Resources Planner

BC 749-06

Martin O'Malley  
Governor

Anthony G. Brown  
Lt. Governor



Margaret G. McHale  
Chair

Ren Serey  
Executive Director

STATE OF MARYLAND  
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February 28, 2011

Mr. Thomas Krispin  
Baltimore County DEPRM  
401 Bosley Avenue, Suite 416  
Towson, Maryland 21204

Re: **AFTER THE FACT VARIANCE/VIOLATION**  
Joseph Property, 2138 Barrison Point Road

Dear Mr. Krispin:

We are in receipt of your request for review of an after the fact variance for the above-referenced applicant. As of July 1, 2008, all Critical Area development activities which require after-the-fact variances are considered violations of the Critical Area law. Before seeking a variance to legalize the cutting and structures on site, the County must issue a notice of violation, assess a fine, be in receipt of a restoration or mitigation plan and the applicant shall have performed the abatement measures in the plan. The County may not issue the variance until these measures have been taken.

In this case, the applicants received approval to develop this lot in accordance with Critical Area development standards. As a condition of the County's approval, the applicants were required to put a Critical Area Easement (CAE) on the remainder of the property that was not being cleared or developed. Your letter of October 7, 2010 indicates that the applicants are currently in violation of their prior approval and CAE as additional clearing/cutting has been performed, mowing has occurred, and structures have been placed within the easement. This clearing is in excess of the 30% clearing limit development standard. Additionally, it appears that a condition (#5) of the 2006 variance approval regarding the recordation of the easement was never completed.

Your letter also indicates that 1) all disturbance to the CAE must be ceased; 2) all manmade structures must be removed by the CAE by November 7, 2010; and 3) the covenant paperwork must be returned to your office by November 7, 2010. It is our understanding that these orders were not adhered to.

Baltimore County cannot issue a permit, approval, variance or special exception until the applicants have:

- a. Fully paid all administrative, civil, and criminal penalties imposed.

Mr. Thomas Krispin

2/28/2011

Page 2 of 2

- b. Prepared a restoration or mitigation plan, approved by Baltimore County that abates impacts to water quality and natural resources as a result of the violation.
- c. Implemented the abatement measures in accordance with the County's Program.

Per Natural Resources Article § 8-1808(c)(4)(i-iii), as the applicant has not completed these actions, no variance may be approved by the County. As a courtesy, we would like to request the County inform us of the actions taken regarding this enforcement action. When the County has taken the above actions and is prepared to hear the variance, please include, as part of the record, the attached comments on the proposed variance request.

If you have any questions, please call me at 410-260-3467.

Sincerely,

A handwritten signature in black ink, appearing to read 'Julie Roberts', with a long horizontal flourish extending to the right.

Julie Roberts  
Natural Resources Planner

Robert L. Ehrlich, Jr.  
Governor

Michael S. Steele  
Lt. Governor



Martin G. Madden  
Chairman

Ren Serey  
Executive Director

**STATE OF MARYLAND  
CRITICAL AREA COMMISSION  
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[www.dnr.state.md.us/criticalarea/](http://www.dnr.state.md.us/criticalarea/)

November 17, 2006

Mr. Kevin Brittingham  
Baltimore County DEPRM  
401 Bosley Avenue, Suite 416  
Towson, Maryland 21204

Re: Joseph Property

Dear Mr. Brittingham:

I have received the above-referenced variance request to construct a single family dwelling and driveway within the building setback to the Critical Area Easement. The site is located in the Resource Conservation Area (RCA) and is .43 acres. This office does not oppose the requested variance since it appears the applicant has located the dwelling as close to the other zoning setbacks as possible.

Thank you for the opportunity to comment. Please include this letter in your file and submit it as part of the record for variance. Please notify the Commission of the decision made in this case.

Sincerely,

A handwritten signature in cursive script that reads "Lisa A. Hoerger".

Lisa A. Hoerger, Chief  
Project Evaluation Division

cc: BC 749-06



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

JONAS A. JACOBSON, *Director*  
*Department of Environmental Protection*  
*and Resource Management*

October 7, 2010

Mr. & Mrs. Joseph  
2138 Barrison Point Road  
Baltimore, MD 21221-6404

Re: Critical Area Easement Violation

Dear Mr. & Mrs. Joseph:

This letter is to inform you that activities have been conducted on your property within an area designated as a Critical Area Easement (CAE) that are in violation of Baltimore County Code Section 33-2-204 "Management Requirements" and the signed variance dated December 6, 2006 (see attached). An inspection of your property on May 3, 2010 noted that CAE has been disturbed via mowing of grass, removal of trees, installation of a vegetable garden, and placement of several structures. According to Section 33-2-204(b):

"Within the boundary of a Chesapeake Bay Critical Area resources easement or reservation that contains the Chesapeake Bay Critical Area resources listed in subsection (a) of this section, a person may not:

- (1) Disturb existing vegetation, including disturbance by tree removal, shrub removal, clearing, mowing, burning, spraying, or grazing;
- (2) Disturb soil by grading, stripping topsoil, plowing, cultivating, or other practices;
- (3) Conduct filling, dumping, diking, ditching, or draining;
- (4) Construct or install structural shore erosion protection measures, except:
  - (i) As provided under COMAR 27.01.04 and § 33-2-607 of this title; and
  - (ii) Only as authorized by the Department of Environmental Protection and Resource Management;
- (5) Place new impervious surfaces;
- (6) Place structures of any size;
- (7) Store, use, or apply pesticides, except for the spot spraying of noxious weeds consistent with the recommendations of the University of Maryland Cooperative Extension Service;
- (8) House, graze, or otherwise maintain animals;
- (9) Store or operate motorized vehicles, except for maintenance and emergency use approved by the Department of Environmental Protection and Resource Management; or
- (10) Store materials."

Mr. & Mrs. Joseph  
2138 Barrison Point Road  
October 7, 2010  
Page 2 of 2

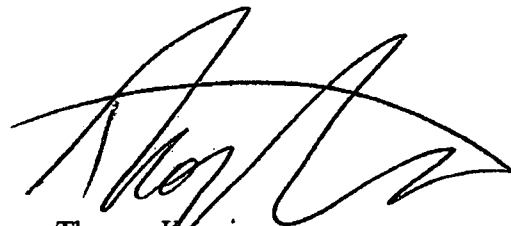
Disturbance of any vegetation inside the CAE is prohibited, and must cease immediately. Additionally, it was noted that a requirement of the approved Critical Area Variance has not been met. Variance condition #5 states that "A right of way plat showing the forest to remain as a Critical Area Easement and associated Declaration of Protective Covenants shall be recorded in the Land Records of Baltimore County..." Protective covenants for your property could not be located in the land records of Baltimore County.

You are hereby ordered to:

1. Cease disturbance of the CAE immediately,
2. Remove all manmade structures from the CAE by November 7, 2010,
3. Complete and return the attached covenant paperwork by November 7, 2010.

Failure to abide by these regulations will result in enforcement action by this Department, which can include the imposition of civil monetary penalties, as noted in Sections 33-2-901 through 33-2-902 of the Baltimore County Code. Thank you in advance for your cooperation. If you have questions, please feel free to contact me at 410-887-3980.

Sincerely,

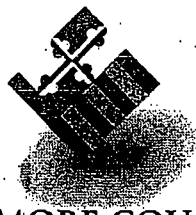


Thomas Krispin  
Natural Resource Specialist II  
Environmental Impact Review

Enclosures

J:\Tom K\Violation letters\2138barrisonptrdCAE.doc





**BALTIMORE COUNTY**

MARYLAND

JAMES T. SMITH, JR.  
*County Executive*

DAVID A.C. CARROLL, *Director*  
*Department of Environmental Protection*  
*and Resource Management*

December 6, 2006

Mr. Michael Joseph  
703 Longview Drive  
Catonsville, MD 21228

Re: 2138 Barrison Point Road  
Critical Area Administrative Variance  
Tracking # 06-06-255

Dear Mr. Joseph:

The Department of Environmental Protection and Resource Management (DEPRM) has received your variance request to construct a single-family dwelling with a 10-foot setback to a Critical Area Easement. The Director of DEPRM may grant a variance to the Chesapeake Bay Critical Area regulations in accordance with regulations adopted by the Critical Area Commission concerning variances as set forth in COMAR 27.01.11. There are five (5) criteria listed in COMAR 27.01.11 that shall be used to evaluate the variance request. All five of the criteria must be met in order to approve the variance.

The first criterion requires that special conditions exist that are peculiar to the land or structure, and that literal enforcement of the regulations would result in unwarranted hardship. A strict enforcement of the management requirements of the Chesapeake Bay Critical Area Regulations (Section 33-2-204) would preclude building a residence on this property, thus denying reasonable use of the entire property. Therefore, this criterion has been met.

The second criterion requires that a literal enforcement of the regulations would deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area. Similarly encumbered properties have received the same consideration when all variance criteria had been met. Therefore, this criterion has also been met.

The third criterion requires that granting of a variance will not confer upon an applicant any special privilege that would be denied to other lands or structures within the Critical Area. Other homes in the area have similar setbacks,

Mr. Michael Joseph  
2138 Barrison Point Road  
December 6, 2006  
Page 2 of 4

and granting a variance for redevelopment of this site would not confer special privileges upon the applicant. Therefore, this criterion has been met.

The fourth criterion requires that a variance is not based upon conditions or circumstances which are the result of actions by the applicant, nor does the request arise from any condition relating to land or building use, either permitted or non-conforming, on any neighboring property. The constraints are attributed to a lot that was created prior to inception of Chesapeake Bay Critical Area regulations. Therefore, the request is not based upon conditions or circumstances that are the result of the applicant's actions, and this criterion has been met.

The fifth criterion requires that granting of the variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area, and that the granting of the variance will be in harmony with the general spirit and intent of the Chesapeake Bay Critical Area regulations. Building the dwelling as close to the road as possible and clearing under the 30 percent maximum will minimize water quality impacts and be in harmony with the general spirit and intent of the regulations.

Based upon our review, this Department finds that the first four of the above criteria have been met, and that the fifth criterion can be met by mitigating as specified below. Therefore, the requested variance is hereby approved in accordance with Section 33-2-205 of the Baltimore County Code with the following conditions:

1. The attached "Notice of Granting of Variance" must be published in the paper of local circulation, either The Avenue, The Eagle, or the East County Times. Final variance approval cannot be granted until fifteen (15) calendar days after the notice has been published. A copy of the Certificate of Publication for the advertisement issued by the newspaper, or a copy of the advertisement from the paper must be submitted to this office prior to receiving final variance approval.
2. The following note must appear on all subsequent plans:  
"A variance was granted by the Baltimore County Department of Environmental Protection and Resource Management from certain requirements of the Critical Area Regulations. The Critical Area Easement shown hereon is reflective of the fact that this variance was granted. Conditions were placed on this variance to reduce water quality impacts."
3. The 6,172 square feet of forest clearing shall be mitigated on a 1.5:1 ratio by paying a fee-in-lieu to Baltimore County in the amount of \$3,703.20. The fee-in-lieu shall be paid to Baltimore County prior to DEPRM approval of the building permit application.

Mr. Michael Joseph  
2138 Barrison Point Road  
December 6, 2006  
Page 3 of 4

4. The Critical Area Easement shall be protected during construction via installation of High Visibility Fence along the Limit of Disturbance (LOD). This fence must be inspected by DEPRM prior to approval of any grading or building permit application.
5. A right of way plat showing the forest to remain as a Critical Area Easement and associated Declaration of Protective Covenants shall be recorded in the Land Records of Baltimore County, prior to issuance of any Use and Occupancy Certificate. The right of way plat package must be approved by DEPRM prior to DEPRM release of any building permit application.
6. A revised plan accurately showing the Critical Area Easement, and variance conditions specified above must be submitted to DEPRM through Permits and Development Management prior to DEPRM approval of the building permit application.

It is the intent of this Department to approve this variance subject to the above conditions. Changes in site layout may require submittal of revised plans and an amended variance request.

Please sign the statement on the next page, and then return the revised plot plan and the letter to this Department c/o Mrs. Regina Esslinger of Environmental Impact Review. Failure to return a signed copy of this letter and a revised plan may result in delays in processing of permits or other development plans for the subject property, and/or may render this variance null and void.

If you have questions regarding this project, please contact Kevin Brittingham at 410-887-3980.

Sincerely,  


David A. C. Carroll  
Director

DACC:kdb

Enclosure

c: Ms. Lisa A. Hoerger, Critical Area Commission  
Mrs. Regina Esslinger, DEPRM

Mr. Michael Joseph  
2138 Barrison Point Road  
December 6, 2006  
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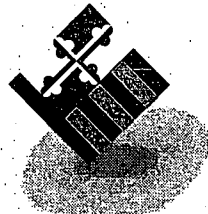
I/We have read and agree to implement the above requirements to bring my/our property into compliance with Chesapeake Bay Critical Area regulations.

Michael Joseph      12/11/06  
Owner's Signature      Date

Danielle Joseph      12-11-06  
Co-owner's Signature      Date

MICHAEL JOSEPH      1  
Owner's Printed Name

Danielle Joseph      12-11-06  
Co-owner's Printed Name



**BALTIMORE COUNTY**  
M A R Y L A N D

BC 749-06

JAMES T. SMITH, JR.  
*County Executive*

DAVID A.C. CARROLL, *Director*  
*Department of Environmental Protection*  
*and Resource Management*

December 6, 2006

Mr. Michael Joseph  
703 Longview Drive  
Catonsville, MD 21228

Re: 2138 Barrison Point Road  
Critical Area Administrative Variance  
Tracking # 06-06-255

Dear Mr. Joseph:

The Department of Environmental Protection and Resource Management (DEPRM) has received your variance request to construct a single-family dwelling with a 10-foot setback to a Critical Area Easement. The Director of DEPRM may grant a variance to the Chesapeake Bay Critical Area regulations in accordance with regulations adopted by the Critical Area Commission concerning variances as set forth in COMAR 27.01.11. There are five (5) criteria listed in COMAR 27.01.11 that shall be used to evaluate the variance request. All five of the criteria must be met in order to approve the variance.

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The second criterion requires that a literal enforcement of the regulations would deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area. Similarly encumbered properties have received the same consideration when all variance criteria had been met. Therefore, this criterion has also been met.

The third criterion requires that granting of a variance will not confer upon an applicant any special privilege that would be denied to other lands or structures within the Critical Area. Other homes in the area have similar setbacks,

Mr. Michael Joseph  
2138 Barrison Point Road  
December 6, 2006  
Page 2 of 4

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The fourth criterion requires that a variance is not based upon conditions or circumstances which are the result of actions by the applicant, nor does the request arise from any condition relating to land or building use, either permitted or non-conforming, on any neighboring property. The constraints are attributed to a lot that was created prior to inception of Chesapeake Bay Critical Area regulations. Therefore, the request is not based upon conditions or circumstances that are the result of the applicant's actions, and this criterion has been met.

The fifth criterion requires that granting of the variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area, and that the granting of the variance will be in harmony with the general spirit and intent of the Chesapeake Bay Critical Area regulations. Building the dwelling as close to the road as possible and clearing under the 30 percent maximum will minimize water quality impacts and be in harmony with the general spirit and intent of the regulations.

Based upon our review, this Department finds that the first four of the above criteria have been met, and that the fifth criterion can be met by mitigating as specified below. Therefore, the requested variance is hereby approved in accordance with Section 33-2-205 of the Baltimore County Code with the following conditions:

1. The attached "Notice of Granting of Variance" must be published in the paper of local circulation, either The Avenue, The Eagle, or the East County Times. Final variance approval cannot be granted until fifteen (15) calendar days after the notice has been published. A copy of the Certificate of Publication for the advertisement issued by the newspaper, or a copy of the advertisement from the paper must be submitted to this office prior to receiving final variance approval.
2. The following note must appear on all subsequent plans:  
"A variance was granted by the Baltimore County Department of Environmental Protection and Resource Management from certain requirements of the Critical Area Regulations. The Critical Area Easement shown hereon is reflective of the fact that this variance was granted. Conditions were placed on this variance to reduce water quality impacts."
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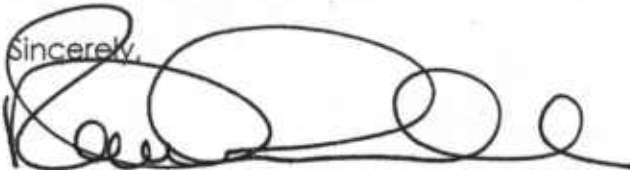
Mr. Michael Joseph  
2138 Barrison Point Road  
December 6, 2006  
Page 3 of 4

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6. A revised plan accurately showing the Critical Area Easement, and variance conditions specified above must be submitted to DEPRM through Permits and Development Management prior to DEPRM approval of the building permit application.

It is the intent of this Department to approve this variance subject to the above conditions. Changes in site layout may require submittal of revised plans and an amended variance request.

Please sign the statement on the next page, and then return the revised plot plan and the letter to this Department c/o Mrs. Regina Esslinger of Environmental Impact Review. Failure to return a signed copy of this letter and a revised plan may result in delays in processing of permits or other development plans for the subject property, and/or may render this variance null and void.

If you have questions regarding this project, please contact Kevin Brittingham at 410-887-3980.

Sincerely,  


David A. C. Carroll  
Director

DACC:kdb

Enclosure

c: Ms. Lisa A. Hoerger, Critical Area Commission  
Mrs. Regina Esslinger, DEPRM

**RECEIVED**  
DEC 11 2006  
CRITICAL AREA COMMISSION

Mr. Michael Joseph  
2138 Barrison Point Road  
December 6, 2006  
Page 4 of 4

I/We have read and agree to implement the above requirements to bring my/our property into compliance with Chesapeake Bay Critical Area regulations.

\_\_\_\_\_  
Owner's Signature                      Date

\_\_\_\_\_  
Co-owner's Signature                      Date

\_\_\_\_\_  
Owner's Printed Name

\_\_\_\_\_  
Co-owner's Printed Name



**BALTIMORE COUNTY**

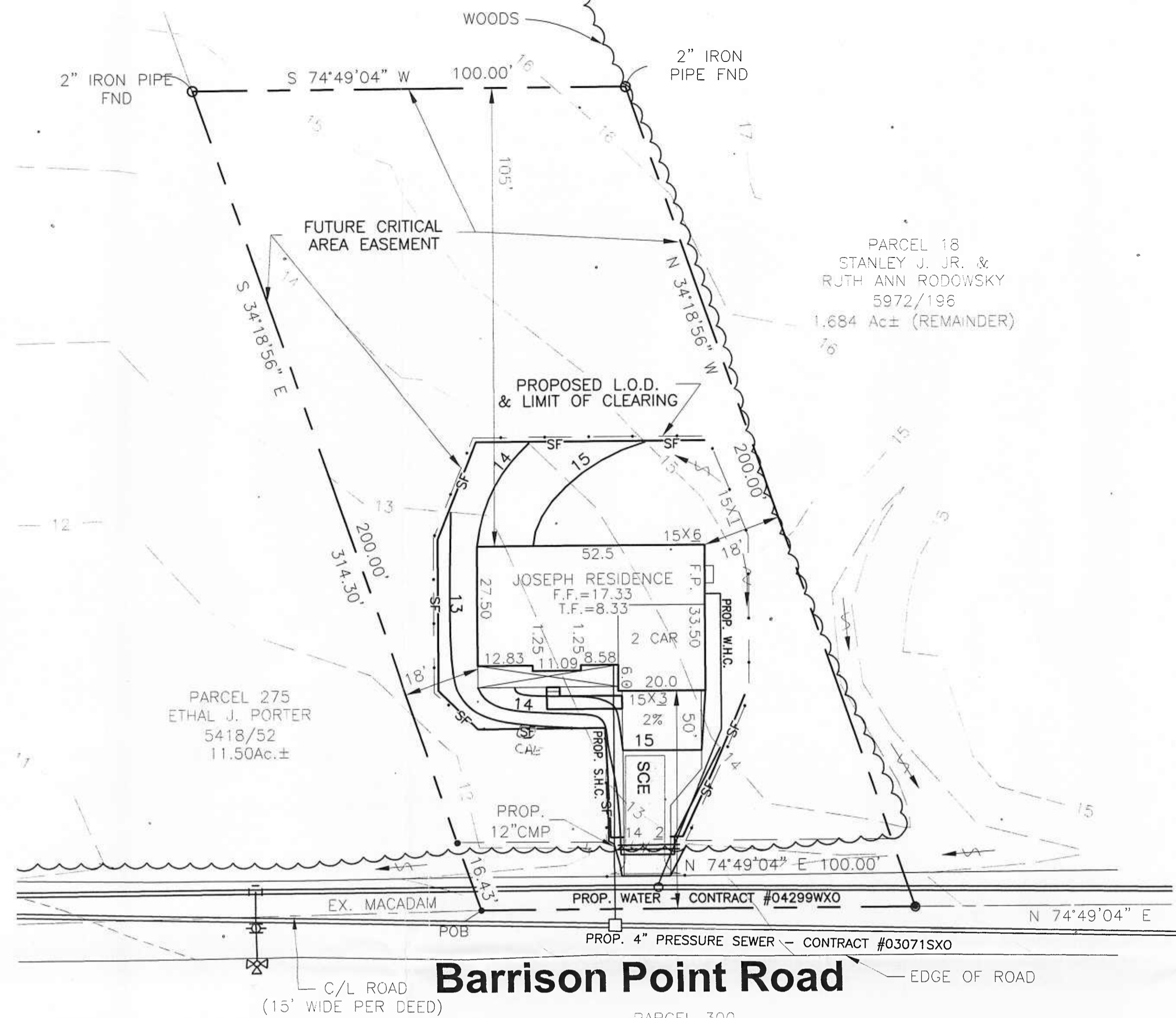
**DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT**

**NOTICE OF CRITICAL AREA VARIANCE APPLICATION**

**ADDRESS:** 2138 Barrison Point Road

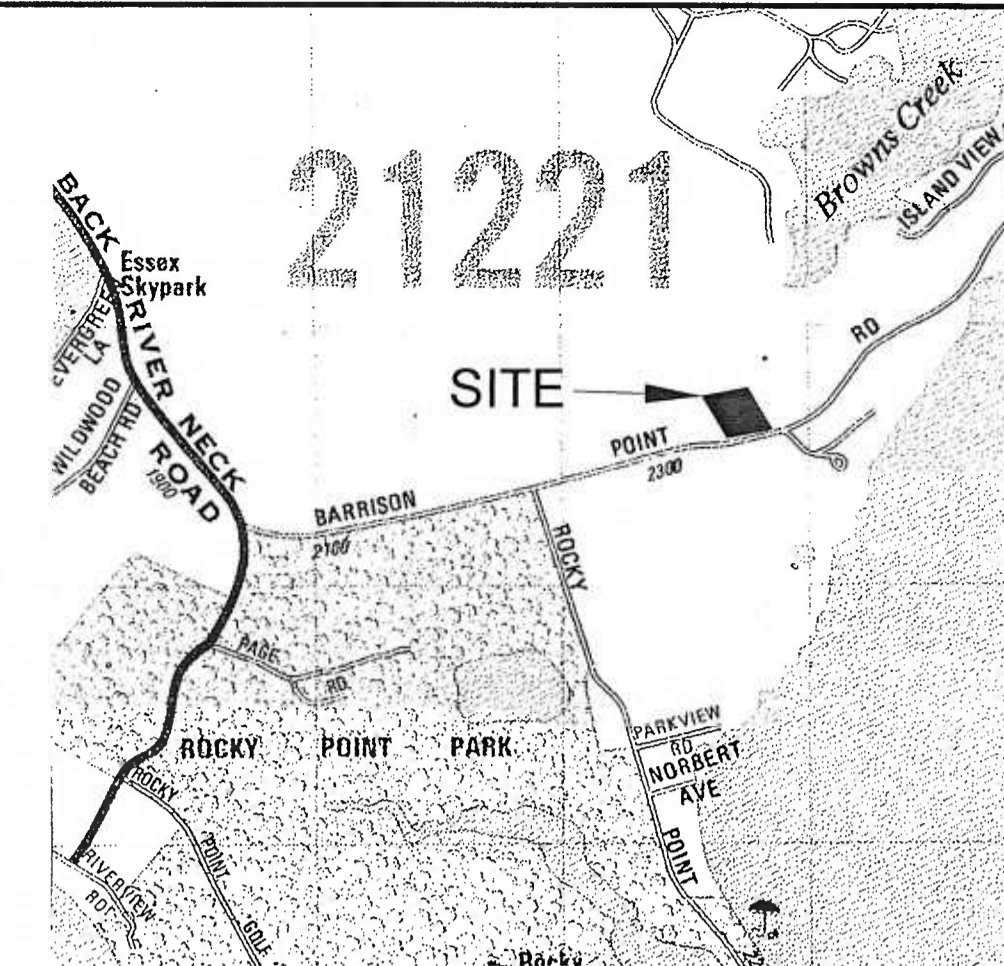
**LEGAL OWNER:** Michael Joseph

The Baltimore County Department of Environmental Protection and Resource Management hereby gives fifteen (15) days notice, pursuant to Section 33-2-205 of the Baltimore County Code, that a variance to Chesapeake Bay Critical Area requirements was received for the purpose of constructing a single family dwelling with a 10 foot setback to a Critical Area Easement on the referenced property. Anyone interested in submitting written comments may do so by sending correspondence to Environmental Impact Review, Baltimore County Department of Environmental Protection and Resource Management, 401 Bosley Avenue, Suite 416, Towson, Maryland 21204.



**GENERAL NOTES (FOR EROSION AND SEDIMENT CONTROL)**

- REFER TO 1994 MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL FOR STANDARD DETAILS AND DETAILED SPECIFICATIONS OF EACH PRACTICE SPECIFIED HEREIN.
- WITH THE APPROVAL OF THE SEDIMENT CONTROL INSPECTOR, MINOR FIELD ADJUSTMENTS CAN AND WILL BE MADE TO INSURE THE CONTROL OF ANY SEDIMENT. CHANGES IN THE SEDIMENT PRACTICES REQUIRE PRIOR APPROVAL OF THE SEDIMENT CONTROL INSPECTOR AND THE BALTIMORE COUNTY SOIL CONSERVATION DISTRICT.
- AT THE END OF EACH WORKING DAY, ALL SEDIMENT CONTROL MEASURES WILL BE INSPECTED AND LEFT IN OPERATIONAL CONDITION.
- THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALT. CO. DEPT. OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- ANY FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALT. CO. AND WHICH RESTRICT DISTURBANCE AND USE IN THESE AREAS.



**SUMMARY OF SEDIMENT CONTROL QUANTITIES**

EARTH DIKE:	0 L.F.
TEMP. SWALE:	0 L.F.
SILT FENCE:	220 L.F.
SUPER SILT FENCE:	0 L.F.
STABILIZED CONSTRUCTION ENTRANCE:	1 ENTRANCE(S)
AREA TO BE PERMANENTLY STABILIZED:	0.07 AC± (2962 SQ. FT.)
SEDIMENT TRAPS:	N/A

**SITE ANALYSIS**

TOTAL SITE AREA:	0.43 AC± (18,895 SQ. FT.)
TOTAL DISTURBED AREA:	0.12 AC± (5,365 SQ. FT.)
ESTIMATED EARTHWORK:	
a.) GRADING CUT:	225 C.Y.
b.) GRADING FILL:	225 C.Y.
TOTAL IMPERVIOUS AREA:	0.06 AC± (2,403 SQ. FT.)
AREA TO BE VEGETATIVELY STABILIZED:	0.07 AC± (2,962 SQ. FT.)

**CRITICAL AREAS SITE ANALYSIS**

TOTAL SITE AREA:	0.43 AC± (18,895 SQ. FT.)
TOTAL FOREST ONSITE:	0.40 AC± (17,419 SQ. FT.)
PROPOSED TREE CLEARING:	0.12 AC± (5,220 SQ. FT.)
TREE CLEARING PERCENTAGE:	29.96 %
TOTAL IMPERVIOUS AREA:	0.05 AC± (2,321 SQ. FT.)
SITE IMPERVIOUS PERCENTAGE:	13.32 %
FEE IN LIEU PAYMENT:	(TO BE DETERMINE)

**SITE DATA**

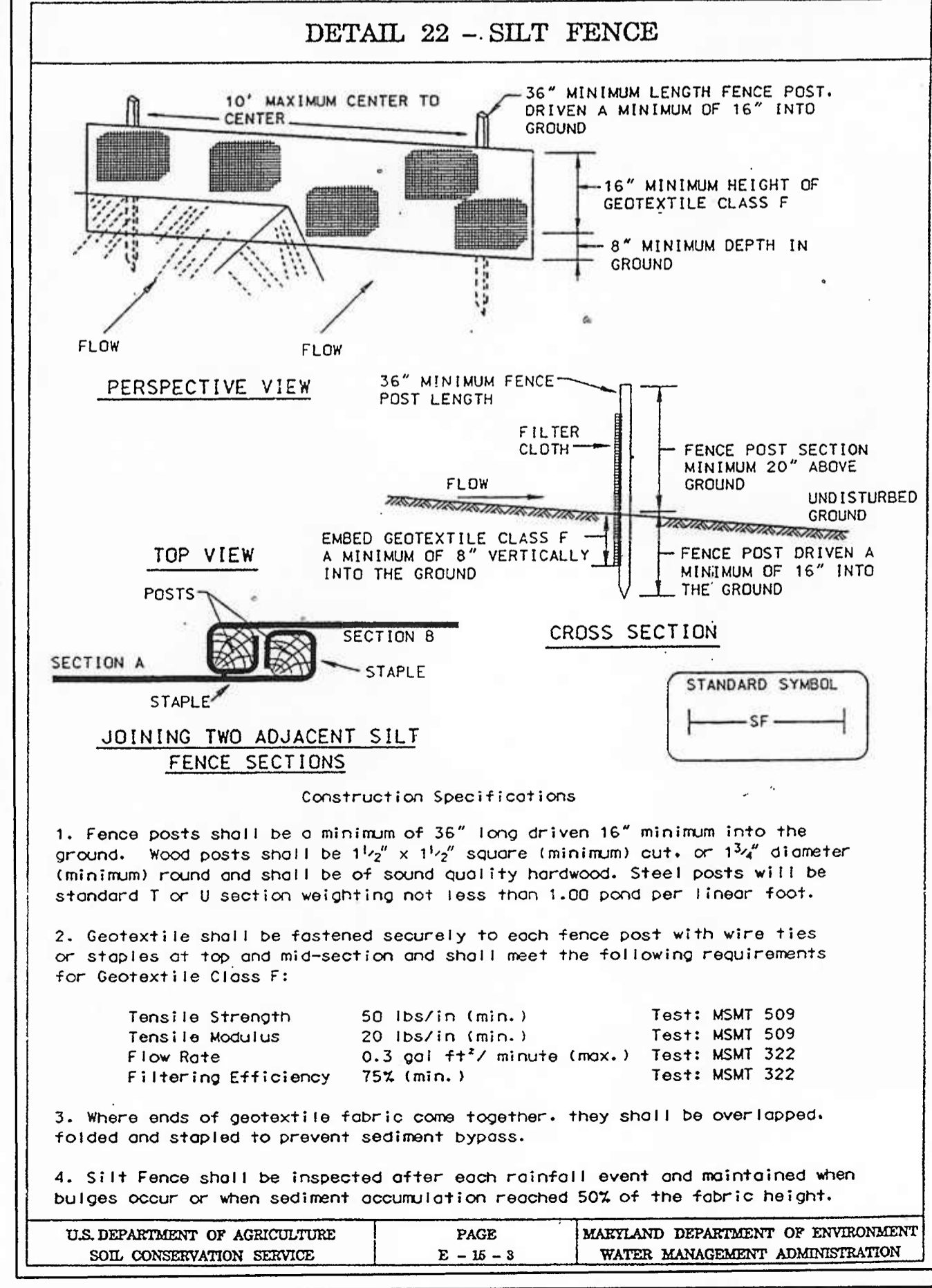
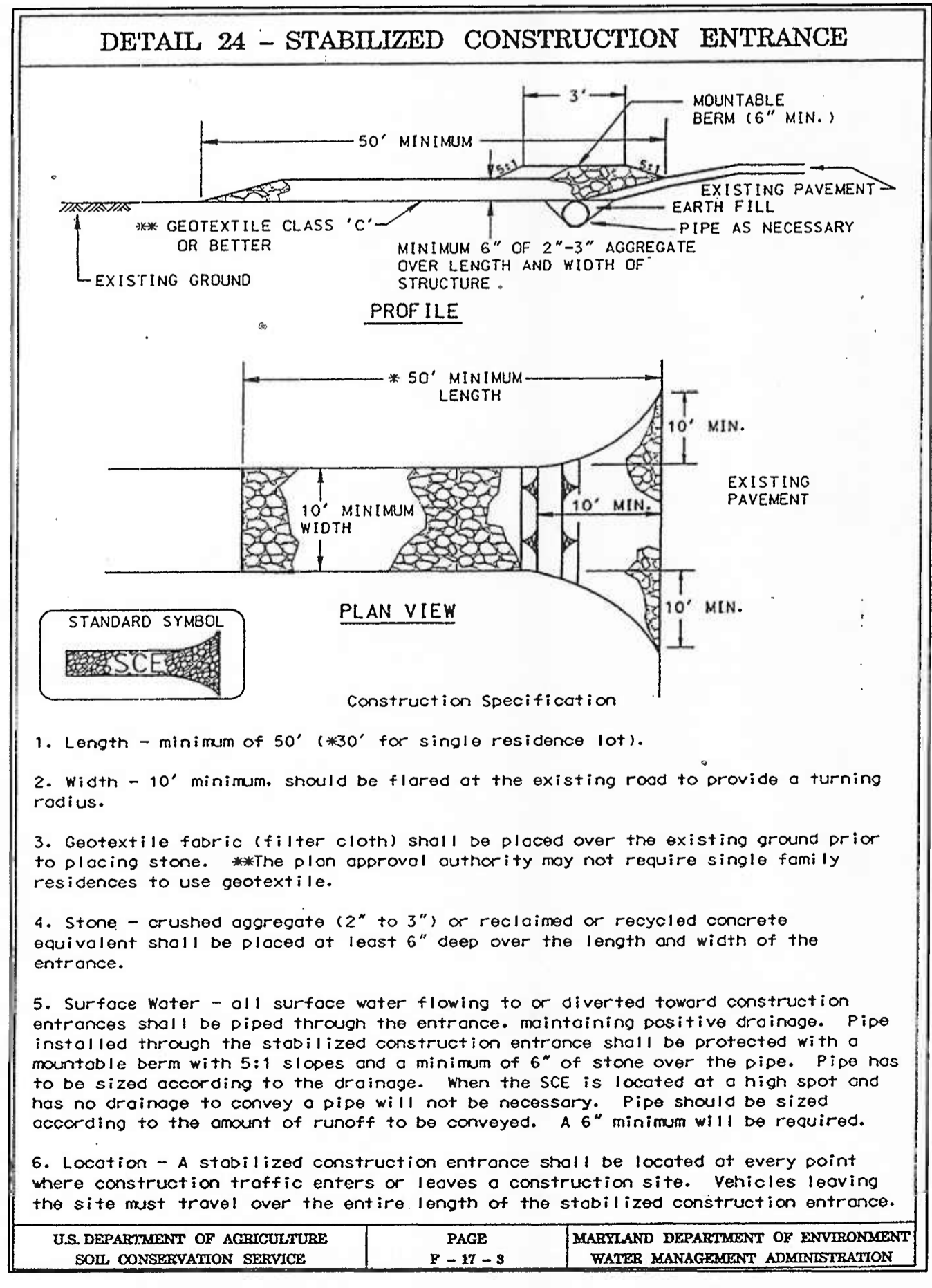
AREA: 0.43 AC± (18,895 s.f.)  
 DEED REF: 7728/666  
 MAP: 105  
 GRID: 9  
 PARCEL: 20  
 USE: RC-20

**LEGEND**

- F.F.=000.00 FINISHED TOP OF FIRST FLOOR ELEVATION
- T.F.=000.00 FINISHED TOP OF FOOTING ELEVATION
- 000.00 PROPOSED GROUND SPOT ELEVATION
- 100 EXISTING GROUND CONTOURS
- 100 PROPOSED GROUND CONTOURS
- DRAINAGE FLOW IN SWALE
- PROPERTY LINES
- RIGHT-OF-WAY LINES
- SF PROPOSED SILT FENCE
- PROPOSED LIMIT-OF-DISTURBANCE
- SCE PROPOSED STABILIZED CONSTRUCTION ENTRANCE

**VARIANCE NOTE:**  
 A SPECIAL VARIANCE IS REQUESTED FOR CRITICAL AREA EASEMENT BUFFER SETBACK REQUIREMENTS. THIS VARIANCE IS TO REDUCE THE 35' MINIMUM BUFFER SETBACK TO THE PRINCIPAL STRUCTURE WITH THE PURPOSE OF LIMITING THE DISTURBANCE WITHIN THE FORESTED AREA OF THIS PROPERTY. THE REQUESTED DISTANCE FROM THE REAR OF THE STRUCTURE TO THE CRITICAL AREA EASEMENT IS 25' MIN. THE REQUESTED DISTANCE FROM FRONT AND SIDE OF STRUCTURE TO THE CRITICAL AREA EASEMENT IS 10' MIN.

**SETBACK NOTE:**  
 THIS PROPERTY IS ZONED RC-20. ZONING SETBACKS WILL BE DETERMINED BY THE ENVIRONMENTAL RESTRICTIONS SET FORTH BY CHESAPEAKE BAY CRITICAL AREA REGULATIONS.



<p>CNA engineers, surveyors &amp; landscape architects</p> <p>Civil Engineers &amp; Land Surveyors &amp; Landscape Architects          Planners &amp; Geotechnical Engineers &amp; Environmental Engineers          215 Byrum Road          Forest Hill, Maryland 21053          Phone (410) 878-7200 • Fax (410) 838-1811          E-mail: cna@mail@cna-engineers.com</p>	<b>SITE, GRADING, &amp; SEDIMENT AND EROSION CONTROL PLAN</b> FOR <b>#2138 BARRISON POINT RD.</b> 15th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND	
	REVISION 11-2-06 REVISE FOUNDATION & SITE ANALYSIS 11-8-06 REVISE LAYOUT AND ADD VARIANCE NOTE: RECEIVED NOV 17 2006	JOB NO: 06143 SCALE: 1"=20' DATE: 10-23-06 DESIGN BY: S.A.W. REVIEW BY: J.B. SHEET: 1 OF 1