

May 24, 2016

Mr. Devin Leary  
Human & Rohde Inc.  
512 Virginia Ave.  
Towson, MD 21286

Re: Bright Meadow Apartments  
Forest Buffer Variance  
Tracking # 04-16-2224

Dear Mr. Leary:

A request for a variance from the Baltimore County Code Article 33 Environmental Protection and Sustainability (EPS), Title 3 Law for the Protection of Water Quality, Streams, Wetlands and Floodplains (i.e. Forest Buffer Law) was received by this Department on April 26, 2016. If granted, this variance would authorize the continued use of 5,750 square feet of Forest Buffer area for a longstanding apartment building and associated parking lot and yard area. The clubhouse is proposed outside of the future Forest Buffer Easement with no impacts to forested buffer.

This Department has evaluated the request and finds that an unreasonable hardship would result from a literal interpretation of the Forest Buffer Law that would require the apartment building and parking lot to be removed and the area converted to a functioning Forest Buffer. This is especially true given that the apartment complex predates this Law by decades. Furthermore, we find that impacts to water quality resulting from the continued use of buffer area can be adequately mitigated.

Based on these findings, the variance criteria are met. Therefore, the requested variance is hereby approved in accordance with Section 33-3-103 with the following conditions:

1. The remaining functioning buffer area must be recorded as a Forest Buffer Easement along with its Declaration of Protective Covenants in Baltimore County Land Records prior to December 24, 2016. The plat package must be approved by EPS prior to issuance of any building permit.
2. The limit of disturbance for constructing the clubhouse and its ancillary uses shall not encroach into the Forest Buffer Easement, and the clubhouse shall be no closer than 12 feet to the Forest Buffer Easement.

Mr. Devin Leary  
Bright Meadow Apartments at Lower Gate Court  
Forest Buffer Variance  
May 24, 2016  
Page 2

3. There shall be no intensification of use or further disturbance within the Forest Buffer.
4. Prior to issuance of any permit, the remaining Forest Buffer Easement shall be posted with "Forest Buffer-Do Not Disturb" signs at 75 foot intervals or any turn in the easement limit.
5. The following note must be on all plans and plats for this project:

A variance was granted to the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains by Baltimore County EPS on May 24, 2016. The Forest Buffer Easement shown hereon is reflective of this variance approval. Conditions were placed on this variance to minimize impacts to water quality including permanent posting and recordation of the remaining Forest Buffer Easement.

6. A final forest buffer protection plan (FBPP) and a revised site plan to accompany the permit application that reflects the conditions of this variance shall be submitted to EPS and approved prior to permit approval. The FBPP may be combined with the forest conservation plan.

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 person(s) responsible for meeting the conditions of the variance approval sign the statement on the following page 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. Glenn Shaffer at (410) 887-3980.

Sincerely yours,

Vincent J. Gardina  
Director

c. Caplan-Lowergate Limited Partnership

Mr. Devin Leary  
Bright Meadow Apartments at Lower Gate Court  
Forest Buffer Variance  
May 24, 2016  
Page 3

I/we agree to the above conditions to bring my/our property into compliance with  
Baltimore County's Law for the Protection of Water Quality, Streams, Wetlands and  
Floodplains.

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Owner's Signature

Date

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Printed Name

VJG/ges