

January 29, 2014

Mr. Henry Leskinen  
Eco-Science Professionals, Inc.  
P.O. Box 5006  
Glen Arm, MD 21057

Re: Litz Property at 2613 Beckleysville Road  
Forest Buffer Variance  
Tracking #03-14-1750

Dear Mr. Leskinen:

A request for a variance from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains was received by this Department of Environmental Protection and Sustainability (EPS) on January 9, 2014. The establishment of a Forest Buffer Easement is required as part of developing the property as a two-lot minor subdivision. This request proposes to allow 16,272 square feet of that Easement to remain as lawn around an existing recreational pond to allow for maintenance of the pond as well as an existing barn.

This Department has reviewed your request and has determined that a practical difficulty exists given that the area that will become Forest Buffer Easement has historically been lawn with a barn well prior to enactment of the Law. Furthermore, we have determined that the continuance of the lawn, pond berm and barn will have minimal impact on water quality and that the proposed afforestation of the open buffer will minimize any impacts to water quality and aquatic resources as a result of this proposal.

Therefore, we will grant this variance request in accordance with Section 33-3-106 of the Baltimore County Code, with the following conditions:

1. A note must be added to all plans and plats for this project stating:  
“A variance was granted by the Baltimore County Department of Environmental Protection and Sustainability from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains to allow continued use of the pond and barn in the Forest Buffer Easement. Conditions were placed on this variance to reduce water quality impacts including afforestation of open buffer area and posting of the buffer limit with signs and permanent monuments.”

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2. 16,272 square feet of Forest Buffer Easement shall be planted in accordance with the final Forest Buffer Protection Plan (FBPP) included with your variance application package. This planting shall be contiguous to any reforestation proposed to meet forest conservation requirements and shall be completed by May 1, 2015.
3. Surveyed limits of the Forest Buffer Easement shall be permanently posted as shown on the approved FBPP with "Forest Buffer - Do Not Disturb" signs and permanent below grade markers (rebar) to facilitate identification of easement limits. The signs and monuments must be installed prior to May 1, 2015 or prior to issuance of any permits, whichever comes first.
4. The mylar of the approved FBPP must be approved by this Department prior to issuance of any grading or building permit.
5. The necessary Environmental Agreement shall be signed, and securities based on shall be posted prior to minor subdivision approval. Release of that security shall be in accordance with Section 32-4-305 of the Baltimore County Code.
6. All environmental easements and their associated Declarations of Protective Covenants must be recorded and easement rights conveyed to Baltimore County prior to approval of the minor subdivision plat.

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 property owner(s) sign the statement below 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 contact Mr. Glenn Shaffer at (410) 887-3980.

Sincerely yours,

Vincent J. Gardina  
Director

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VJG:ges

c. Mr. Ken Wells, KJ Wells, Inc.

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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Property Owners' Signatures

Date

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Printed Name(s)