

January 21, 2025

Human & Rohde, Inc.
ATTN: Devin Leary
512 Virginia Avenue
Towson, MD 21286

RE: 10917 Liberty Road LLC
Forest Buffer Variance
Tracking # 04-24-4222

Dear Devin Leary:

A request for a variance from Article 33, Title 3, Protection of Water Quality, Streams, Wetlands and Floodplains (i.e. Forest Buffer Law) was received by the Department of Environmental Protection and Sustainability (DEPS) on November 15, 2024. This variance seeks to allow the continued-use of 10,018 square feet (SF) of the proposed Forest Buffer Easement (FBE) as an automotive repair facility, parking, and storage.

The proposed FBE on the property was determined in response to a correction notice sent by Environmental Impact Review on April 3, 2024 and in accordance with Section 33-3-111 of the Forest Buffer Law. The proposed FBE aims to protect an unnamed Use-I tributary to the north branch of the Patapsco River and associated wetlands that extend along the eastern edge of the commercial property. The proposed buffer will encompass approximately 1.8 acres of the 4.6 acre property, and 10,018 SF of the existing development will fall within the proposed FBE.

This Department has reviewed your request and has determined that a practical difficulty exists given that the existing commercial property was developed prior to the Forest Buffer Law and the proposed FBE will encompass a large portion of the existing building and parking area. Furthermore, we find that the potential for impacts to water quality as a result of this proposal would be minimized by providing permanent protective signage along the easement boundary and preventing further development within the FBE.

Therefore, we will grant this request in accordance with Section 33-3-106(a)(1) of the Baltimore County Code, with the following conditions to further minimize impacts:

1. The following notes must appear on all subsequent plans submitted for this project:
 - a. A variance to the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains (Tracking # 04-24-4222) was granted by Baltimore County Environmental Protection and Sustainability to allow the continued-use of 10,018 SF of buffer for use as an automotive repair facility, parking, and storage. Conditions were placed on this variance to minimize impacts to water quality including permanent posting of the forest buffer to remain undisturbed. Any future development or change in use of this property may require full compliance with this law.”
2. The proposed FBE shall be recorded in the Land Records of Baltimore County with its associated declaration of protective covenants, conditions, and restrictions.
3. Permanent protective signage must be installed along the boundary of any forest buffer or forest conservation easement on the property according to the approved Forest Buffer Protection plan and remain in perpetuity.
4. There shall be no additional clearing, grading, construction or disturbance of vegetation within the existing Forest Buffer except as permitted by the Baltimore County Department of Environmental Protection and Sustainability.
5. This variance approval pertains solely to the existing development on the property. Any subsequent impact to the Forest Buffer on this property shall be reviewed on its own merits and shall comply with the regulations in effect at the time, including variance and alternatives analysis requirements per §33-3-106 and §33-3-112(c) of the Forest Buffer Law, respectively.

Please have the property owner sign the statement on the following page and return a signed copy of this letter to this Department. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of the permit for this property.

This variance is approved by the Director of the Department of Environmental Protection and Sustainability on _____. Any changes to site layout may require submittal of revised plans and a new variance request. If you have any questions regarding this correspondence, please contact Art Garcia at (410) 887-3980.

Sincerely yours,

Horacio Tablada
Director
HT/ayg

Devin Learn
10917 Liberty Road LLC
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I/we agree to the above conditions to bring my/our property into compliance with Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Property Owner's Signature

Date

Printed Name

Property Owner's Signature

Date

Printed Name