

72-93-R PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Chesapeake Homes, Inc., legal owner... of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from DR 10.5 and DR 5.5 zone to an DR 16 zone; for the following reasons:

Error in the original Zoning Maps.

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for:

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

CHESAPEAKE HOMES, INC.

Contract purchaser

By: Harvey I. Golden Legal Owner
Vice President

Address

303 East Fayette Street
Baltimore, Maryland 21202

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of August, 1974, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30th day of September, 1974, at 2:00 o'clock P.M.

Alvin R. Friedman
Zoning Commissioner of Baltimore County

(over)

No. 72-93-R

P. T. LEMON
and
HIGH HILL REALTY, INC.
Appellants
vs.
CHESAPEAKE HOMES, INC.
Appellee
* * * * *
IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
At Law
Misc. Docket No. 9
Folio No. 360
File No. 5126

ORDER OF DISMISSAL

MR. CLERK:

Please dismiss the appeal of the Appellants in the above entitled case.

MARVIN I. SINGER

LULLIVAN, WISSARD & SINGER
Attorneys for Appellants

I HEREBY CERTIFY that on this 25th day of January, 1974, a copy of the foregoing Order of Dismissal was mailed to Vincent L. Glorioso, Esq., 8th Floor, INA Building, 303 E. Fayette Street, Baltimore, Maryland 21202, attorney for Chesapeake Homes, Inc. and Anne Kay Kramer, Esq., Wiltonwood Road, Stevenson, Maryland 21153, attorney for Richard N. Folts, Betty R. Folts, Joseph P. Madden, Regina A. Madden, Leonard C. Stromberg and Vivian A. Stromberg.

MARVIN I. SINGER

January 25, 1974

Clerk, Circuit Court
for Baltimore County
Court House
Towson, Maryland 21204

Atten: Law Desk

Re: P. T. Lemon and
High Hill Realty, Inc. vs.
Case No. 5126

Contemnan:

Please file the enclosed Order of Dismissal in the above entitled case.

Very truly yours,

Marvin I. Singer

MIS/ecg

Enclosure

cc: Vincent L. Glorioso, Esq.
Anne Kay Kramer, Esq.

RE: PETITION FOR RECLASSIFICATION : BEFORE
from D.R. 10.5 and D.R. 5.5 to : COUNTY BOARD OF APPEALS
D.R. 16 zone :
NE corner of Interstate 95 and : OF
Metropolitan Boulevard :
13th District, SW Sector : BALTIMORE COUNTY
Chesapeake Homes, Inc. :
Petitioner : No. 72-93-R

OPINION

This case comes before the Board on an appeal by the Protestants from an Order of the Zoning Commissioner dated April 18, 1972 granting the requested reclassification.

At the beginning of the case, in open hearing, counsel for the Petitioner stated that he wished to withdraw his petition and would not give any testimony in this de novo hearing before the Board.

The burden of proof for the petition is upon the Petitioner, and since he has failed to meet this burden on appeal, the Order of the Zoning Commissioner must be reversed. Therefore the petition for reclassification from D.R. 10.5, D.R. 5.5 and D.R. 3.5, as amended, to D.R. 16 is hereby denied.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 27th day of August, 1973, by the County Board of Appeals ORDERED, that the reclassification from 10.5, D.R. 5.5 and D.R. 3.5, as amended, to D.R. 16, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slowik, Chairman

W. Glen Parker

Walter A. Keller, Jr.

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
NE corner of Interstate 95 and : ZONING COMMISSIONER
Metropolitan Boulevard - 13th :
District : OF
Chesapeake Homes, Incorporated :
ed - Petitioner : BALTIMORE COUNTY
NO. 72-93-R (Item No. 52) :
::: :::

The Petitioner requests a Reclassification from D.R.10.5 and D.R.5.5 Zones to a D.R.16 Zone for a parcel of property located on the northeast corner of Interstate 95 and Metropolitan Boulevard, in the Thirteenth District of Baltimore County, containing 52.71 acres of land, more or less.

Evidence presented on behalf of the Petitioner by various witnesses and experts indicated that the property is the residue of a larger tract which was taken for the construction of Interstate 95, which lies to the north.

On December 16, 1970, the then Zoning Commissioner of Baltimore County, Edward D. Hardesty, granted R.A. zoning for the subject tract but a timely appeal was filed therefrom. The Baltimore County Council classified the property D.R.10.5 on March 24, 1971.

The Petitioner indicated that he wishes to develop the property into five hundred and twenty-five (525) townhouse units, and, because of the shape and topography of the property, this cannot be done in the present classification. The setback requirements are more stringent in a D.R.10.5 Zone than in a D.R.16 Zone.

It was further indicated that there are adequate sewer and water facilities available, as a new water main was installed in the bed of Washington Boulevard during the process of the hearing on this Petition.

The Petitioner indicated that the property's topography ranges from ninety feet (90') to two hundred and one feet (201'), having a one hundred and eleven foot (111') deviation.

An expert witness for the Petitioner indicated that there is a demand for townhouse and apartment development in this area of Baltimore County, supporting same with the following:

1. The growth of the University of Maryland Baltimore County and the Catonsville Community College.

2. The industrial complexes along the Baltimore-Washington corridor to the south.

3. The impetus of the development of new industrial complexes along Interstate 95 and those complexes now being developed in Columbia, and the employment opportunities accruing therefrom.

4. Its appropriate location with relation to the already developed and proposed road networks in this area.

Mr. James S. Spamer, a qualified engineer, testified that the Capital Improvement Program had been initiated for the construction of Metropolitan Boulevard which, at the present time, is under construction immediately to the southwest of the subject property. This has been planned for many years and was under construction at the time of the adoption of the present map. He further testified that it was his feeling that the Baltimore County Council, in adopting the Comprehensive Zoning Map, was not cognizant of the restrictive setbacks in a D.R. zone other than a D.R.16 Zone. He further testified that the property could not be economically developed in its present classification.

The property is bounded on the north by the newly opened Interstate 95 and to the southwest by the under construction Metropolitan Boulevard. The property to the south and southeast is of a residential nature, consisting of single family cottages.

The Petitioner indicated that if the Petition was granted, D.R.16 zoning would provide a more flexible development in the planning of the proposed five hundred and twenty-five (525) townhouses. Under D.R.10.5 zoning, with stringent setback regulations therein, a well planned and designed development could not be constructed.

It was also indicated that the Baltimore County Planning Staff had recommended to the Baltimore County Planning Board that the property be reclassified to a D.R.16 Zone, in conformity with the decision of Mr. Hardesty of December 16, 1970. The Baltimore

County Planning Board, after much study and deliberation, recommended the same to the Baltimore County Council, but on March 24, 1971, the Baltimore County Council classified the property in a D.R.10.5 classification.

Residents of the area, in protest of the subject Petition, indicated that the Relay area is a triangular shaped area bordered on the north by Interstate 95, on the west by the new Metropolitan Boulevard, on the south by Washington Boulevard, and on the east by Southwestern Boulevard. They indicated that there is no apartment type development within this area and that all development is of an individual residential cottage type. Furthermore, it was indicated that the granting of this Petition, along with several other Petitions concerning this area which are before the Zoning Commissioner, would cause undue traffic concentration in the area, overburden the school system, and be a detriment to their health, safety, and welfare.

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the opinion of the Zoning Commissioner, the Comprehensive Zoning Map as adopted on March 24, 1971, was in error in classifying this property in a D.R.10.5 Zone. The burden of proving error is borne by the Petitioner, and this burden has been met.

The development of Interstate 95 which was present and in use during the deliberation by the Baltimore County Council in the adoption of the map, the planned and under construction Metropolitan Boulevard at the same time, the extension of the water main from Baltimore City in the bed of Washington Boulevard, which lies closely to the southwest, the shape of the property, and the topography, necessitates this property being classified in a D.R.16 Zone. It is more feasible that a well planned development could be constructed if the property were developed in a D.R.16 Zone.

It was noted during the hearing that the enrollment in the local public school, Relay Elementary School, has decreased

in the lower grades. Furthermore, there is to be constructed an elementary school in Halethorpe, and there is room at the Relay Elementary School for expansion when necessary.

There seems to be a growing housing need in this area due to the potentially high employment opportunities to be afforded by the University of Maryland Baltimore County, the Catonsville Community College, and the industrial corridor to the south along the Baltimore-Washington Expressway; furthermore, its close proximity to Columbia in Howard County, and its continuous development and expansion, affords very high employment opportunities and a need for housing.

The new road systems in the area have been planned for many years, and as previously stated, Metropolitan Boulevard is under construction and will be completed to Interstate 95 within a short period of time.

It must be further noted that the Baltimore County Planning Board in its recommendation to the Zoning Commissioner, under Item No. 52, indicated the need for the density zoning requested on this subject tract but states that it should be granted provided:

a. The Petitioner obtain covenants agreeable to the surrounding improvement associations.

b. Said covenants limit development of this property to 10.5 dwelling units per acre.

Though the Zoning Commissioner is unable to qualify or restrict the number of units to be constructed on the subject property, it is strongly encouraged that said covenants be entered into between the residents of the area and the Petitioner, and that the property be developed not in excess of 10.5 units per acre.

For the foregoing reasons, IT IS ORDERED by the Zoning Commission: of Baltimore County, this 18th day of April, 1972, that the herein described property or area should be and the same is hereby reclassified from D.R.10.5 and D.R.5.5 Zones to a D.R.16 Zone, from and after the date of this Order, subject to the

MAR 27 1974

H. C. H.
Zoning Commissioner of
Baltimore County

IN THE MATTER OF : BEFORE THE
CHESAPEAKE HOMES, INC. : ZONING COMMISSIONER
FOR ZONING RECLASSIFICATION : OF BALTIMORE COUNTY

MEMORANDA IN SUPPORT OF
ZONING RECLASSIFICATION PETITION

STATEMENT OF FACTS

The Petitioners are seeking to have property located in the 13th election district, southwest side of Ingate Road, 137.86 feet northwest of Francis Avenue reclassified from its present zoning as adopted by the Baltimore County Council as a DR 10.5 Zone to a DR 16 Zone. The property had heretofore been classified as an RG Zone under the previous Zoning Ordinances of Baltimore County. On July 7, 1970, The Sanford Land Company filed a Petition to Reclassify the property from a RG Zone to a RA Zone. The Zoning Petition was heard before the Honorable Edward D. Hardesty, Zoning Commissioner, Case No. 71-48-R (item No. 284) and by his decision dated December 16, 1970, a copy of which is attached hereto and made a part hereof, the land was, in fact, reclassified from an RG Zone to an RA Zone.

That subsequent to this hearing, the Planning and Development Commission of Baltimore County had recommended the land be placed on the new Zoning Maps as a DR 16 Zone from its original classification as an RG Zone apparently not having been aware of the order of December 16, 1970, as previously cited.

The Baltimore County Council, after some deliberation, decided to reject the recommendation of the Planning Board and to reclassify the property as a DR 10.5.

B. That the Council erred in not fully taking into consideration the increased need for housing of the type proposed by the Petitioners by virtue of the anticipated population increase due to the erection of the University of Maryland Baltimore County Campus, Catonsville Community College, The Research Institute for Advanced Studies, the contemplated western branch of the YMCA, and other large developments either already existing or in the process of being built in the local.

C. That the Council erred in failure to view the topography of the subject property which would make the development of the said tract of land economically unfeasible under any zoning classification other than a DR 16 Zone.

D. That the Council erred in failure to consider the geography and topography of the property in direct relationship to the new high-speed expressways built or being built immediately adjacent to the property that would render the land ideally situated for a DR 16 Zoning.

E. That the Council erred in failure to consider the present zoning in effect of an RA Zone immediately prior to the adoption of the Zoning Maps as stated in the Order of the Zoning Commissioner of December 16, 1970.

F. That the Council erred in failure to provide adequate apartment zoning in the 13th district local to properly take care of the increased needs for population expansions.

The Petitioners refer to the cases of

Miller vs. Abrahams, 211 A2d, 309 (Md. 1965)

Johar Corporation vs. Rogers Forge Community Association, 202 A2d, 612 (Md. 1964)

and other applicable Maryland zoning cases.

It is therefore respectfully requested that the Zoning Commission of Baltimore County find that there was error

in the adoption of the Zoning Maps and grant the Petitioners' request for reclassification of the subject property to a DR 16 Zone.

Respectfully submitted,

Alvin E. Friedman
Alvin E. Friedman
Attorney for the Petitioners
18A Building - 8th Floor
303 East Fayette Street
Baltimore, Maryland 21202
685-1763

thus keeping it as close as possible to the original zoning before the maps became effective. This Petition for Reclassification is, therefore, brought on the ground that there was error made in the reclassification of the said tract of land.

It is the contention of the Petitioners that the Council's action in reclassifying the said tract of land was definite error in that

A. The Council erroneously believed that the Zoning Classification in effect immediately prior to the adoption of the Zoning Maps was an RG Zone; whereas, in fact, the land was classified as an RA Zone, as per the decision of the Zoning Commissioner of Baltimore County dated December 16, 1970, previously cited.

B. The Council erred in failure to follow the recommendations of the Planning Commission of Baltimore County who, after exhaustive studies of the area in question, recommended that the land in question be designated on the new Zoning Maps as a DR 16 Zone.

C. That the Council erred in not fully taking into consideration the increased need for housing of the type proposed by the Petitioners by virtue of the anticipated population increase due to the erection of the University of Maryland Baltimore County Campus, Catonsville Community College, The Research Institute for Advanced Studies, the contemplated western branch of the YMCA, and other large developments either already existing or in the process of being built in the local.

D. That the Council erred in failure to view the topography of the subject property which would make the development of the said tract of land economically unfeasible under any zoning classification other than a DR 16 Zone.

JAMES B. SPANER & ASSOCIATES
PROFESSIONAL ENGINEERS & LAND SURVEYORS
8017 YORK ROAD - TOWSON, MD. 21204

BY J.C.W. DATE 4/13/71
Plat 1
Huntmoor Village South
Zoning Description

Beginning for the same at a point on the northwest side of Francis Avenue (60 feet wide) where it is intersected by the northeast side of the right of way 1/2 mile of Metropolitan Boulevard as shown on State Roads Commission of Maryland Plate Nos. 34577, 35657, 35666, 37884, and 37885; said point of beginning being also located 336 feet more or less southeasterly from the center line of "Golf Road" there situated, thence leaving Francis Avenue and along the right of way lines of Metropolitan Boulevard and Interstate Route 95 the twenty-one following courses and distances: (1) North 51° 30' 02" East 294.16 feet, (2) North 43° 06' 01" East 275.48 feet, (3) North 42° 11' 10" East 194.00 feet, (4) North 23° 54' 55" East 511.52 feet, (5) North 12° 05' 53" East 178.11 feet, (6) North 10° 42' 48" East 111.72 feet, (7) North 32° 00' 11" East 345.23 feet, (8) North 43° 28' 13" East 177.12 feet, (9) North 43° 09' 13" East 106.48 feet, (10) North 40° 14' 21" East 36.04 feet, (11) North 55° 20' 04" East 337.72 feet, (12) North 40° 30' 33" East 167.56 feet, (13) North 59° 52' 49" East 279.33 feet, (14) North 59° 48' 00" East 161.92 feet, (15) North 72° 20' 20" East 300.10 feet, (16) North 78° 17' 56" East 36.24 feet, (17) North 72° 21' 01" East 18.96 feet, (18) North 75° 16' 11" East 298.11 feet, (19) South 59° 32' 43" East 171.35 feet, (20) North 75° 54' 48" East 126.77 feet, and (21) northerly by a line curving to the left with a radius of 3967.72 feet the distance of 135.22 feet and a chord bearing North 81° 47' 21" East the distance of 135.21 feet to intersect the westernmost boundary of Revised Plat of Section 3 "Beverly Manor," thence leaving said Interstate Route 95 and binding on the 1/2 mile of said Plat the three following courses and distances: (22) Southerly by a line curving to the right, with a radius of 135.00 feet the distance of 5.62 feet and a chord bearing South 52° 15' 16.5" West 5.62 feet, (23) South 35° 56' 55" East 19.65 feet and (24) South 50° 47' 25" West 120.53 feet to the northwest side of Ingate Road there situated, thence crossing Ingate Road, (25) South 49° 41' 01" East 60.00 feet to the southernmost side of Ingate Road and thence binding thereon the three following courses and distances: (26) easterly by a line curving to the right with a radius of 110.90 feet the distance of 101.07 feet and a chord bearing South 73° 31' 15.5" East 28.79 feet to a point of compound curve, (27) easterly by a line curving to the right with a radius of 240.00 feet the distance of 111.36 feet and a chord bearing South 39° 43' 22.5" East 113.23 feet, and (28) South 25° 04' 20" East 137.56 feet to the northwest side of Francis Avenue (60 feet wide) thence, along the northwest side of said Francis Avenue (29) South 40° 41' 00" West 10.77 feet, thence leaving said Francis Avenue and for a line parallel to and 10 feet westerly measured at a right angle from said northwest side of Ingate Road (30) North 25° 04' 20" East 116.20 feet to an iron pipe at the beginning of the 9th line of the parcel of land which by deed dated May 16, 1949, and recorded among the land records of Baltimore County in Liber T.N.S. 9, 1249, Folio 379, was conveyed by William H. Francis, Trustee, to Lloyd E. Mitchell, Inc., thence binding on the 9th thru 21st lines thereof, (31) South 52° 41' 20" East 695.95 feet and (32) South 21° 45' 20" East 382.21 feet to the northwest side of Francis Avenue (60 feet wide) thence binding along the northwest side of said Francis Avenue, (33) South 40° 41' 00" West 170.03 feet, thence leaving said Francis Avenue; (34) North 52° 07' 50" West 319.00 feet, (35) South 40° 41' 00" West 315.03 feet,

E. That the Council erred in failure to consider the geography and topography of the property in direct relationship to the new high-speed expressways built or being built immediately adjacent to the property that would render the land ideally situated for a DR 16 Zoning.

F. That the Council erred in failure to consider the present zoning in effect of an RA Zone immediately prior to the adoption of the Zoning Maps as stated in the Order of the Zoning Commissioner of December 16, 1970.

G. That the Council erred in failure to provide adequate apartment zoning in the 13th district local to properly take care of the increased needs for population expansions.

The Petitioners are also seeking to reclassify the land along the Gelford Road adjacent to the Huntmoor development from its present map classification of a DR 5.5 Zone to a DR 16 Zone. The land in question under the Zoning Ordinances before the adoption of the Zoning Maps was classified as an RG Zone which was bounded on its east side by the Huntmoor Townhouse development and on its west side by the new metropolitan boulevard. The Planning and Development Commission of Baltimore County had recommended that this land be classified as a DR 16 Zone and the Baltimore County Council, by its resolution in adopting the maps, reclassified the property as a DR 5.5 Zone. It is the contention of the Petitioners that the Council's action in reclassifying the said tract of land was definite error in that

A. The Council erred in failure to follow the recommendations of the Planning Commission of Baltimore County who, after exhaustive studies of the area in question, recommended that the land in question be designated on the new Zoning Maps as a DR 16 Zone.

BY J.C.W. DATE 4/13/71
Plat 1
Huntmoor Village South
Zoning Description

to the center line of Friendship Road as defined to 50 feet, thence binding on the center line of Friendship Road, (36) North 52° 07' 50" East 695.03 feet, thence leaving the center line of Friendship Road, (37) South 40° 41' 00" West 330.02 feet, thence (38) South 52° 07' 50" East 311.10 feet and running thence and passing over a concrete monument heretofore set on line, (39) South 40° 41' 00" West 315.00 feet, (40) South 52° 07' 50" East 315.00 feet, and (41) South 40° 41' 00" West 315.00 feet to the center line of a 50 foot road, and running thence and binding on the center line of said 50 foot road, (42) North 52° 07' 50" East 18.12 feet, thence leaving the center line of said 50 foot road, thence (43) South 40° 41' 00" West 211.72 feet to an iron pipe heretofore set at the end of the 21st line of said land and continuing 135.02 feet for an extension thereof, said course being a total of 300.11 feet thence (44) South 52° 07' 50" East 274.98 feet to the northwest side of Francis Avenue (60 feet wide) thence binding along the northwest side of Francis Avenue, (45) South 40° 41' 00" West 315.03 feet to the place of beginning.

Containing 52.71 acres of land more or less.

Being a part of the first parcel of land which by a deed dated December 27, 1962 and recorded among the land records of Baltimore County in Liber T.N.S. 10, 1071, Folio 23 was conveyed by National Realty Corporation to Maiden Colony, Inc.

P. T. LEMMON
and
HIGH HILL REALTY, INC.
Appellants
vs.
CHESAPEAKE HOMES, INC.
Appellee

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
At Law
Misc. Docket No. 9
Folio No. 340
File No. 5126

MOTION TO EXTEND TIME FOR FILING RECORD

Now come the Appellants, P. T. Lemmon and High Hill Realty, Inc., by their attorney, Marvin I. Singer, and move for an extension of time to file the record in the above entitled case, and in connection therewith respectfully state:

1. That a timely appeal was noted in the above entitled case by the Appellants from the Order of the County Board of Appeals dated August 27, 1973.
2. That an Order was entered by this Honorable Court on October 29, 1973 dismissing said appeal, from which a timely appeal was noted on November 27, 1973.
3. That the record on appeal is due on December 27, 1973 but that an additional period of time is necessary for the completion of the transcript of testimony.

WHEREFORE, Appellants move that this Honorable Court grant an additional thirty days in which to file the record in the within proceedings.

MARVIN I. SINGER
Attorney for Appellants

I HEREBY CERTIFY that on this 26th day of December, 1973, a copy of the within Motion and Order was mailed to the County Board of Appeals, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204, Vincent Glorioso, Esq., IMA Building, Baltimore, Maryland 21202, attorney for Petitioner, Chesapeake Homes, Inc., and to Anne Kay Kramer, Esq., Wiltonwood Road, Stevenson, Maryland 21153.

MARVIN I. SINGER

P. T. LEMMON
and
HIGH HILL REALTY, INC.
Appellants
vs.
CHESAPEAKE HOMES, INC.
Appellee

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
At Law
Misc. Docket No. 9
Folio No. 340
File No. 5126

ORDER

Upon the foregoing Motion, it is this day of December, 1973, ORDERED by the Circuit Court for Baltimore County that the time for filing the record in the within case be and the same is hereby extended up to and including January 26, 1974.

JUDGE

PETITION FOR RECLASSIFICATION
from D.R. 10.5 and D.R. 5.5 to
D.R. 16 zone
NE corner of I-95 and Metropolitan
Blvd.
13th District - S.W. Sector
Chesapeake Homes, Inc.
Petitioner
vs.
P. T. Lemmon and
High Hill Realty, Inc.
Protestants-Appellants
Zoning File No. 72-93-R

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
At Law
Misc. Docket No. 9
Folio No. 340
File No. 5126

PETITION FOR APPEAL

Now come the Appellants, P. T. Lemmon and High Hill Realty, Inc., by their attorney, Marvin I. Singer, parties before the Board of Appeals in the above entitled case, and aggrieved by its Order dated August 27, 1973 filed therein, respectfully represent:

1. That the action of the Board of Appeals in reversing the Order of the Zoning Commission, in the absence of evidence, was illegal, improper, invalid, arbitrary, capricious and discriminatory.
2. That the refusal of the Board of Appeals to allow presentation of evidence by Appellants was illegal, improper, invalid, arbitrary, capricious and discriminatory.
3. That the granting of Petitioner's motion to amend its petition for reclassification was illegal, improper, invalid, arbitrary, capricious and discriminatory.
4. That the petition for reclassification, together with the supporting exhibits, was invalid and erroneous.
5. That the posting, advertising and public notice of the petition for reclassification, hearings and appeal to the

Board of Appeals was incorrect, improper, invalid and illegal.

6. That the amendment of the petition for reclassification as allowed by the Board, and the subsequent refusal by Petitioner to present evidence in support thereof was illegal, improper and invalid; and such a procedure in effect was a reasoning of the property in question, without evidence, and was arbitrary, capricious and discriminatory.

7. That the Board erred in denying the Joint Petition for Remand, as amended, and returning the proceedings to the Zoning Commissioner.

8. That the procedure adopted by the Board in these proceedings was not in accordance with the applicable law and regulations.

9. And for such other and further reasons as may be assigned at the hearing in this case.

MARVIN I. SINGER
10 East Eager Street
Baltimore, Maryland 21202
752-1122
Attorney for Appellants

I HEREBY CERTIFY that on this 26th day of October, 1973, a copy of the foregoing Petition for Appeal was mailed to the County Board of Appeals, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204, Vincent Glorioso, Esq., IMA Building, Baltimore, Maryland 21202, attorney for Petitioner, Chesapeake Homes, Inc., and to Anne Kay Kramer, Esq., Wiltonwood Road, Stevenson, Maryland 21153.

MARVIN I. SINGER

RE: PETITION FOR RECLASSIFICATION
from D.R. 10.5 and D.R. 5.5 to
D.R. 16 zone
NE corner of I-95 and Metropolitan Blvd.
13th District - S.W. Sector
Chesapeake Homes, Inc.
Petitioner
vs.
P. T. Lemmon and
High Hill Realty, Inc.
Protestants-Appellants
Zoning File No. 72-93-R

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 9
Folio No. 340
File No. 5126

CERTIFICATE OF NOTICE

Mr. Clerk

Pursuant to the provisions of Rule 1101-9(4) of the Maryland Rules of Procedure, John A. Slowik, W. Giles Parker and Walter A. Balter, Jr., constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Vincent L. Glorioso, Esq., 8th floor IMA Building, 303 E. Fayette Street, Baltimore, Maryland, 21202, and Alvin E. Friedman, Esq., 8th floor IMA Building, 303 E. Fayette Street, Baltimore, Maryland, 21202, attorneys for the Petitioner; Marvin I. Singer, Esq., Ten E. Eager Street, Baltimore, Maryland, 21202, attorney for the Protestants-Appellants; Mrs. Anne Kay Kramer, Wiltonwood Road, Stevenson, Maryland, 21153, attorney for the Protestants; and Mr. Richard G. Carter, 8403 Loch Raven Boulevard, Towson, Maryland, 21204, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County
County Office Building, Towson, Md. 21204
Telephone: 494-3190

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Vincent L. Glorioso, Esq., 8th floor IMA Building, 303 E. Fayette Street,

Chesapeake Homes, Inc.
Baltimore, Maryland, 21202, attorney for the Petitioner, and Alvin E. Friedman, Esq., 8th floor IMA Building, 303 E. Fayette Street, Baltimore, Maryland, 21202, attorneys for the Petitioner; Marvin I. Singer, Esq., Ten E. Eager Street, Baltimore, Maryland, 21202, attorney for the Protestants-Appellants; Mrs. Anne Kay Kramer, Wiltonwood Road, Stevenson, Maryland, 21153, attorney for the Protestants; and Mr. Richard G. Carter, 8403 Loch Raven Boulevard, Towson, Maryland, 21204, on this 27th day of September, 1973.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

cc: Glorioso, Esq.
Friedman, Esq.
Singer, Esq.
Mrs. Kreamer
Mr. R.G. Carter
Zoning, B. Anderson
Planning, R. Werneth

RE: PETITION FOR RECLASSIFICATION
from D.R. 10.5 and D.R. 5.5 to
D.R. 16 zone
NE corner of Interstate 95 and
Metropolitan Boulevard
13th District, SW Sector
Chesapeake Homes, Inc.
Petitioner
No. 72-93-R

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
At Law

ORDER FOR APPEAL

Please enter an appeal in the above entitled case on behalf of P. T. Lemmon and High Hill Realty, Inc., from the Order of the County Board of Appeals of Baltimore County, dated August 27, 1973.

MARVIN I. SINGER
Ten East Eager Street
Baltimore, Maryland 21202
752-1122
Attorney for Appellants,
P. T. Lemmon and High Hill
Realty, Inc.

I HEREBY CERTIFY that on this 26th day of September, 1973, a copy of the foregoing Order For Appeal was served upon the County Board of Appeals, and copies were also mailed to Vincent Glorioso, Esquire, IMA Building, Baltimore, Maryland 21202, attorney for Petitioner, Chesapeake Homes, Inc., and to Anne Kay Kramer, Esquire, Wiltonwood Road, Stevenson, Maryland 21153.

MARVIN I. SINGER

CERTIFICATE OF RECEIPT OF SERVICE

A copy of the foregoing Order For Appeal was received by the County Board of Appeals on this 26th day of September, 1973.

County Board of Appeals
of Baltimore County

By M. E. Buddemeier

Rec'd 9/26/73
9:15 a.m.

FILED	CLERK OF THE CIRCUIT COURT FOR BALTIMORE COUNTY	RECEIVED	IN THE CIRCUIT COURT FOR BALTIMORE COUNTY
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COPIES AND CERTIFICATIONS No. 9214

Charge To Cash Date 9/24/74

Certified copy of Agreement

OTG 5134/121 0275

Ordered By: ORVILLE T. GOSNELL, Clerk TOTAL 12 275

LIBER 5134 PAGE 121

THIS AGREEMENT, made this 15th day of May, 1970 by and between THE SANFORD LAND COMPANY, a body corporate of the State of Maryland, party of the first part, and ARBUSUS COMMUNITY ASSOCIATION, INC., a body corporate of the County of Baltimore, State of Maryland, party of the second part.

WHEREAS, the said party of the first part is the owner of the tract of land lying within the confines of Francis Avenue on the South, Interstate 95 on the North, Metropolitan Boulevard on the West, and Ingate Road and Huntamoor Road on the East in the Thirteenth Election District of Baltimore County, State of Maryland, more particularly described and designated on the plat attached hereto and made a part hereof; and

WHEREAS, the party of the first part has agreed with the party of the second part that they will enter into an Agreement with them concerning the planning of the said tract of land and the type of dwellings to be erected thereon; and

WHEREAS, the said parties hereto after conference held between representatives of the said party of the first part and committees designated by the said party of the second part have reached an Agreement and by these present do hereby intend to reduce the same to writing as evidenced by this Agreement, cancelling and rescinding all prior Agreements of any nature, kind or description previously entered into by the party of the second part concerning any of the land which is the subject matter of this Agreement.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH: That in consideration of the mutual advantages passing from one to the other and further the sum of One Dollar (\$1.00) and other good and valuable considerations, the said parties hereto do hereby covenant and agree with each to the other as follows:

1. All of the recitals hereinabove contained are hereby made a part of this Agreement.
2. That the said tract of land will be developed and substantial

Pct Ct
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compliance with the plat filed with this agreement except as required by the Planning Commission of Baltimore County or by reason of engineering difficulties. In the event any substantial change is made in the said plans solely as outlined in this paragraph, the said party of the first part will notify the said party of the second part of said change or changes and the reasons therefor, and will not proceed with the same until opportunity is given the said party of the second part to examine and discuss said change or changes with the party of the first part, provided that the said party of the second, within seven days after said notification express their desire to examine and discuss said changes. This provision applies only to the exact locations and roads as contained on the plat and is not applicable to the remainder of the contract.

3. The said party of the first part hereby covenants and agrees that the land will be developed for residential purposes only in accordance with the following terms, conditions and limitations:

- a) That the said land shall be developed as a Townhouse Community, said townhouses to be of a quality of construction and workmanship of the present development located in Arbutus and known as "Huntamoor", similar to construction of 903-913 Elm Road.
- b) That there shall be not more than fourteen townhouses to the acre nor more than a total of 588 units to be developed on the total land.
- c) That the ground floor area of any townhouse exclusive of one-story open porches and garages shall not be less than five hundred twelve (512) square feet.
- d) That no building will be constructed closer than fifty (50) feet from Francis Avenue and Friendship Road, and that the existing woods, trees, and foliage will be maintained around the perimeter of the property where practicable but in all events along Francis Avenue and Friendship Road. In those areas along Francis Avenue and Friendship Road where no natural screening

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exists, screening in the form of trees and shrubbery, staggered for landscaping aesthetics, shall be planted for a depth of twenty (20) feet from said Francis Avenue and Friendship Road.

- e) That no dwelling of the flat roof type shall be allowed to be built on said land.
- f) That the roads within the confines of the development are currently laid out as shown on the plat to encourage the utilization of Selford Road as the main vehicular way for ingress and egress, and that any change in said road layout shall be made so as to maintain Selford Road as the main vehicular way for ingress and egress.
- g) That the developer will enter into such agreements and make such deposits relative to the construction of Selford Road where said road abuts the subject land prior to the commencement of any construction on said land.
- h) That the construction of Friendship Road from Ingate Road to Francis Avenue as shown on the attached plat will not be constructed or opened by the developer unless same is made a requirement by the proper authorities of Baltimore County.
- i) That the townhouses to be erected along Friendship Road shall be so erected to face Friendship Road.
- j) That all land retained by the developers and non-public roads shall be maintained by the developer or by a condominium, association or other entity established for such purpose.
- k) That all exterior lighting will be of an ornamental nature of such design as would blend with the general architectural scheme of the development, and that the said lights shall not be placed or slanted in such a manner as to produce an abnormal glare to homes within the development or about the adjacent properties bordering the said development.
- l) That the developer will not under its ultimate financing arrangements incorporate any financing which will require rent supplements.
4. That the party of the second part will not oppose any petitions to the zoning authorities of Baltimore County for the

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necessary re-zoning classifications that will be necessary to carry out the terms of this agreement.

5. That the aforementioned townhouses to be erected within the development shall be aesthetically arranged in accordance with the topographic of the land to be placed as courts providing for off-street parking for the vehicles of the prospective residents and that no alleys of any nature or description shall be placed within the development unless specifically required to be placed therein by appropriate County regulations.

6. That it is further agreed by and between the parties hereto that this Agreement, together with all of its terms and conditions shall be forever binding on the said party of the first part, its successors and assigns and that in the event that the said party of the first part shall sell said tract of land before developed as aforesaid or shall sell any undeveloped land after any partial development, it will sell the same, subject to the terms and conditions of this Agreement and will make known the provisions thereof to any such purchaser or purchasers.

7. It is hereby agreed and understood by and between the parties hereto that upon any violation of the terms and conditions of this Agreement, the said parties of the second part or either of them shall have the right to prosecute the same at law or in equity and the failure of the said parties of the second part or either of them to enforce the breach of any one covenant shall in no event be deemed as a waiver of the right to prosecute any subsequent breach of any covenant herein.

AS WITNESS the corporate seals of the said parties hereto and the signatures of their respective Presidents and/or

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Vice Presidents.

WITNESS: Vincent L. Glorioso, Richard D. Payne

THE SANFORD LAND COMPANY, INC. By: James S. Cardin, Secretary

ARBUSUS COMMUNITY ASSOCIATION, INC. By: F. Donald Bokan, Secretary

STATE OF MARYLAND) To Wit:
CITY OF BALTIMORE)

I HEREBY CERTIFY that on this 24th day of May, 1970, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, aforesaid, personally appeared James S. Cardin, who acknowledged himself to be the Secretary of The Sanford Land Company, and as such being authorized so to do, executed the foregoing Agreement for the purposes therein contained, by signing the name of the Company by himself as Secretary, and at the same time, also appeared before me F. Donald Bokan, who acknowledged himself to be the Secretary of The Sanford Land Company, and that he as such Secretary made oath in due form of law that the matters and facts set forth in the foregoing Agreement are true and correct to the best of his knowledge, information and belief.

AS WITNESS my hand and Official Seal.

Dorothy P. Heller, Notary Public

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STATE OF MARYLAND) To Wit:
CITY OF BALTIMORE)

I HEREBY CERTIFY that on this 24th day of May, 1970, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, aforesaid, personally appeared Richard D. Payne, who acknowledged himself to be the Secretary of Arbutus Community Association, Inc., and as such being authorized so to do, executed the foregoing Agreement for the purposes therein contained, by signing the name of the Corporation by himself as Secretary, and at the same time, also appeared before me James S. Cardin, who acknowledged himself to be the Secretary of Arbutus Community Association, Inc., and that he as such Secretary made oath in due form of law that the matters and facts set forth in the foregoing Agreement are true and correct to the best of his knowledge, information and belief.

AS WITNESS my hand and Official Seal.

Richard D. Payne, Notary Public

Rec'd for record OCT 13 1970
Per Orville T. Gosnell, Clerk
Filed to Richard D. Payne
Receipt No. 324502 9/17/70

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

STATE OF MARYLAND : SCT.
COUNTY OF BALTIMORE :

I, ORVILLE T. GOSNELL, Clerk of the Circuit Court for Baltimore County, do hereby certify that the foregoing is a true photostatic copy of the original AGREEMENT

taken from the Records of the said Circuit Court for Baltimore County as recorded in Liber No. 5134 Folio 121, one of the LAND Records of Baltimore County

IN TESTIMONY WHEREOF, I hereto set my hand and affix the seal of said Court this 30th day of September A.D., 1971.

Orville T. Gosnell
Clerk of the Circuit Court for Baltimore County

BALTIMORE COUNTY, MARYLAND

WATER/PIECE CORRESPONDENCE

TO: Edward Hardesty
ATTN: Oliver L. Myers
FROM: ELLSWORTH N. DIVER, P.E.

Date: May 13, 1971

SUBJECT: Item #52 (April - October Cycle 1971)
Property Owner: Chesapeake Homes, Inc.
Location: N/E cor. I-95 and Metropolitan Blvd.
Present Zoning: D.R. 10.5 and 5.5
Proposed Zoning: D.R. 10
District 1301 Sector: Southwestern
No. Acres: 52.71

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways

This site has frontage on Ingate Road, Huntmoor Road, Friendship Road and future Selford Road.

Ingate Road is improved to local collector standards.

Huntmoor Road is improved to minor residential standards.

Friendship Road is an existing County Road, which shall ultimately be improved to minor residential standards.

Selford Road is a proposed County Road, which shall ultimately be improved to major collector standards. Highway improvements to this site, including curb and gutter, sidewalks and entrances in accordance with the standards of the Baltimore County Department of Public Works for a 14-foot closed road section on a 70-foot right-of-way will be required for any grading or building permit application.

Streets required within this property must be improved in accordance with the standards of the Department of Public Works.

Storm Drains

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #52 (April - October Cycle 1971)
Property Owner: Chesapeake Homes, Inc.
Page 2
May 13, 1971

Storm Drains (Cont'd)

This property is adjacent to and is traversed by streams which constitutes waters of the State. No change can be authorized for the course or cross-section of the streams without a permit from the State Department of Water Resources. This includes a culvert crossing, public or private. The owner is responsible for an engineering study to determine the area of this site which would be inundated by a 50-year storm and to provide all justification of public benefit necessary to, and to obtain the required State permit for any change in course or cross-section proposed. Public rights-of-way will be required for the 50-year flood plain including 1 foot free board.

Public drainage facilities are required for any offsite drainage facilities and any onsite facilities serving offsite areas, in accordance with the standards of the Baltimore County Department of Public Works.

Onsite drainage facilities serving only areas within the site do not require construction under a County contract. Such facilities are considered private and therefore must conform to the County Plumbing and Building Codes.

Sediment Control

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings below this property. Sediment control is required by State law. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading and building permits.

Water

Public water can be made available to serve this property.

The proposed private improvement must be reviewed by the Baltimore City, Water Division for adequacy of water supply.

Supplementary fire hydrants and improvements to the public system may be required for adequate protection.

Service within the site from the public system must be in accordance with the Baltimore County Building, Plumbing and Fire Prevention Codes. The service connection to the meter shall be in accordance with the standards of the Baltimore County Department of Public Works.

Sanitary Sewer

Public sanitary sewer facilities can be made available to serve this property.

Item #52 (April - October Cycle 1971)
Property Owner: Chesapeake Homes, Inc.
Page 3
May 13, 1971

Sanitary Sewer (Cont'd)

The Petitioner is entirely responsible for the construction of his onsite private sanitary sewerage, which must conform with the Baltimore County Plumbing Code.

Improvements to the public system may be required for adequate service.

The plan for development of this property is subject to approval of the State Department of Health prior to acceptance of a preliminary or final plat for recordation.

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:ZIN:WORK:SS

cc: File (3)

Key Sheet: C-W
Topo: SW 6 E and D
Tax Map: 108

BALTIMORE COUNTY DEPT. OF EDUCATION

ZONING ADVISORY COMMITTEE REPORT
OF APRIL 27, 1971 (EVEN ZONING)

Petitioner: CHESAPEAKE HOMES, INC.

Location: NE COR. I-95 & METROPOLITAN BLVD

District: 13

Present Zoning: DR 10.5 & 5.5

Proposed Zoning: DR 10

No. of Acres: 52.71

Comments: FROM THE EXISTING ZONINGS WE COULD EXPECT APPROX. 214 ELEM. PUPILS. FROM A CONVERSATION WITH THE ENGINEER, JAMES SPANIER & ASSOCIATES, IT WAS LEARNED THAT THE DEVELOPER INTENDS TO CONCENTRATE ALL 3 BEDROOM RESIDENTIALS. NO STUDENTS CAN BE EXPECTED FROM SUCH A DEVELOPMENT. HOWEVER, A CHANGE TO A NEARLY HIGH DENSITY COMPLEX COULD YIELD STUDENTS RANGING IN NUMBERS UP TO 850 ELEM. PUPILS, 150 JR. HI. PUPILS, 7109 SR. HI. PUPILS. THE HIGH DENSITY ASSUMES THAT ALL 3 BEDROOM T.H. UNITS WILL BE BUILT.

SCHOOL SERVING THIS AREA: (FROM YEAR 13, 1970 ENROLLMENT)

SCHOOL	CAPACITY	ENROLL	%
RELAY ELEM.	345	260	+35
ARADUS JR.	1200	1875	+375
LANSDOWNE SR.	1530	1742	+212

FUTURE CAPACITY	STATUS	ENROLL	%
LANSDOWNE JR.	UNBUILT	1,100	91%
LANSDOWNE SR. ADJ. AVE.	BUILT	900	71-72

PROGRAMMED CAP.	CAPACITY	ENROLL	%
RELAY ELEM. ADJ. AVE.	1000 to 400	1972-73	1973-74
NEW HALLSIDE ELEM.			

THERE ARE THREE DETAILS BE BECAUSE IN THIS GENERAL

AREA:

1. P.T. LINDEN	54.42 AC.
2. CHESAPEAKE HOMES, INC.	52.71 AC.
3. HIGH HILL RD. ETC., INC.	22.19 AC.
TOTAL:	80.91 AC.

UNDER THE EXISTING ZONING WE SEE A POSSIBLE YIELD OF APPROX. 213 ELEMENTARY PUPILS. A CHANGE TO APARTMENT ZONING COULD YIELD FROM 131 TO 850 ELEM. PUPILS, FROM 27 TO 450 JR. HI. PUPILS, & FROM 21 TO 713 SR. HI. PUPILS. THE HIGH DENSITY ASSUMES THAT ALL 3 BEDROOM TOWNHOUSES WILL BE BUILT AT THE CHESAPEAKE HOMES SITE.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13th Date of Posting: Sept. 11, 1971
Posted for: DECLASSIFICATION
Petitioner: CHESAPEAKE HOMES, INC.
Location of property: N/E COR. OF I-95 AND METROPOLITAN RD.
Location of Sign: @ N/E COR. OF FRIENDS AVE. DEAD END AT S. S. ROAD
@ DEAD END OF FRIENDS AVE. DEAD END OF FRIENDSHIP RD.
@ N/E COR. OF FRIENDS AVE. SECT. 4. ON N/E COR. OF MINERAL AVE.
Posted by: [Signature] Date of return: Sept. 24, 1971

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13th Date of Posting: MAY 27, 1972
Posted for: APPEAL
Petitioner: CHESAPEAKE HOMES, INC.
Location of property: N/E COR. OF I-95 AND METROPOLITAN RD.
Location of Sign: @ N/E COR. OF FRIENDS AVE. DEAD END AT S. S. ROAD
@ N/E COR. OF FRIENDS AVE. DEAD END OF MINERAL AVE.
Remarks: [Signature]
Posted by: [Signature] Date of return: Sept. 2, 1972

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by:					Revised Plans:		Change in outline or description			
Previous case:					Map #		Yes			
							No			

WHOLE	DENSITY DATA
50.71	GROSS AREA
6.40	LESS PARKING, STREETS & PAVEMENT AREA
47.81	ALLOWABLE GROSS DENSITY
47.81	ALLOWABLE NET DENSITY
47.81	PERMITTED NO OF UNITS
47.81	PROPOSED NO OF UNITS
50.71	ACTUAL GROSS DENSITY
47.81	ACTUAL NET DENSITY

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78																						

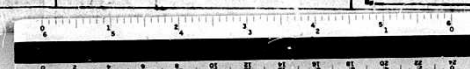
Plat for Zoning Purposes

HUNTSMOOR VILLAGE SOUTH
13TH ELECTION DIST, BALTIMORE CO. MARYLAND

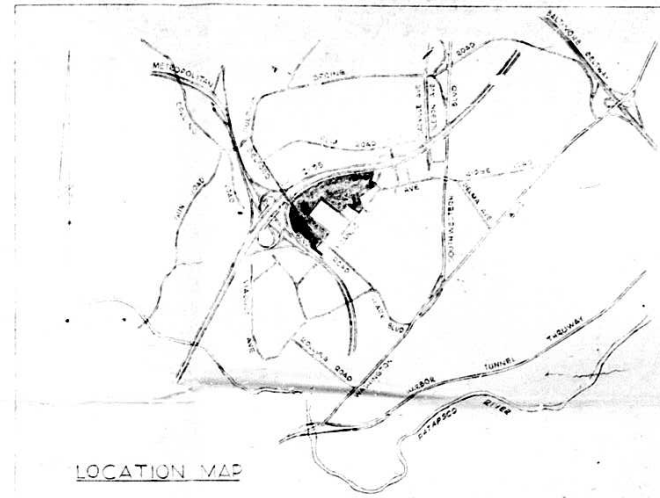
OWNER: CHESAPEAKE HOMES, INC.
233 EQUITABLE BUILDING
BALTIMORE, MARYLAND 21201

Map 2H
SW C-E
*
5/24/71

BALTIMORE COUNTY HEALTH DEPARTMENT APPROVAL		APPROVED FOR BALTIMORE COUNTY PLANNING BOARD		APPROVED FOR STREET ALIGNMENT AND LOCATION		Coordinates and Bearings as shown hereon refer to the system established in the Baltimore County Metropolitan District and are based on the following Traverse Station values: (WITH VALUES HELD FOR SECTION THREE) MUNTSMDOR VILLAGE NORTH- See P. 8 (13/3/9) MON. B S 28756.64' W 26406.35' MON. D-3 S 28497.72' W 26449.49'		The Streets and/or Roads as shown hereon and the mention thereof in deeds are for the purpose of description only and the same are not intended to be dedicated to public use. The fee simple title to the beds thereon is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.		OWNER'S CERTIFICATE The requirements of Sections 724 to 729 of Article 17 of the Annotated Code of Maryland, 1939 Edition, Chapter 1016 of the Acts of 1945, as amended by Chapters 58 and 768 of the Acts of 1947 and subsequent Acts, if any, amendatory thereto, so far as they concern the making of the plat and setting of the markers, have been complied with. CHESAPEAKE HOMES, INC. Owner of Land Shown Hereon		ENGINEER'S CERTIFICATE I, WILLIAM O. LIETTE, JR., a Registered Professional Engineer in Land Surveying of the State of Maryland, do hereby certify that the land shown hereon has been laid out and the plat returned in compliance with Sections 724 to 729, inclusive, of Article 17 of the Annotated Code of Maryland, 1939 Edition, as amended by Chapters 58 and 768 of the Acts of 1947 and subsequent Acts, if any, amendatory thereto. Registered Professional Engineer and Land Surveyor No. 7205		JAMES S. SPAMER & ASSOCIATES ENGINEERS & SURVEYORS 8017 YORK ROAD TOWSON, MD. 21204	
Deputy State & County Health Officer	DATE	DIRECTOR	DATE	ROADS ENGINEER OF BALTIMORE COUNTY	DATE	Scale: 1"= 100' APRIL 8, 1948									



STATE ROUTE 95
(CONTRACT NO. B-700-74474)
RD Right No. 57084-57086



LOCATION MAP

*Sheet 2
Plot for Zoning Purposes -
See Also Plot 1 attached
April 8th, 1971*



10/71 JCH		Add Outline & Topo along Off Ramp of NPS Maria Pines - Update Loc Map.
11/17/70 JSP		Add Location Map, revise the water in the site plan, insert new sheets and
DATE	BY	REVISION
HUNTSMOOR		
15th ELECT DIST - BALTIMORE COUNTY, MD		
SITE PLAN		
SECTION		
SCALE	1"=50'	DRWG. NO.
DATE		SHEET NO.
JAMES S. SPAMER & ASSOCIATES ENGINEERS & SURVEYORS 801 YORK ROAD JONKES, MD 21094		

OUTLINE AND TOPOGRAPHY FROM
SURVEY BY DW. POMMER NOV. 1962.
1-75 RIGHT-OF-WAY FROM MD SEC
HW PLATS NO 57084 & 57086.



INTERSTATE ROUTE 95
Md. D.C. Contract 11 B-728 (4-7-61)
11/1/62 2W Right of Way 17555

FRIENDSHIP RD

FRANCIS AVE

GITTINGS AVE



REFERENCE DRAWINGS

FRIENDSHIP ROAD
Water Plan - CG-375 (2)

INGATE ROAD:
Road Plan - C-1410
Drain Plan - 56-1033-A-9
Water Plan - 56-1029-A-4-C
Sewer Plan - 56-1031-A-10

FRANCIS AVE
Water Plant: Balto City, W. 358-12000
Power Plant: 66 020, 021 A & B, 31-866 367 368 A & B
Drain Plant: 64 018 A & B 31-214 A & B
Gas Plant: Balto City Co. District 9425 9429

FRANCIS AVE